The Nation.

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The Week.

Mr. W. B. Hornblower's remark that the Supreme Court decision at least removes all doubt of our constitutional power to alienate the Philippines, calls attention to an aspect of the matter of which we may hear a great deal more. All through Justice White's opinion in the Downes case runs the fear, half conscious and half expressed, lest the islands should become permanently a white elephant on our hands. Why, he said, if they were really incorporated in the United States by the mere ratification of the Treaty of Paris, then we should have to regard them as "indissolubly made a part of our common country," we could not "sell them subject to a condition," and should be powerless to allow their inhabitants to "establish a government of their own." A greater misfortune than thus to disable ourselves from getting rid of the Philippines, it is evident that Justice White could not imagine; and the prevailing opinion of the Court agrees with the contention that we can make the Filipinos independent as soon as Congress comes to see the wisdom of doing so. This is something very different from the Jingo howl that the islands are ours, and cannot be alienated any more than Oklahoma can be.

The Cuban Constitutional Convention, by a majority of one, adopted last week the Platt amendment, in the form of an appendix. To this is attached a second appendix containing Secretary Root's explanations of Platt, and a third containing the Convention's interpretation of Root; also a letter from Gen. Wood and the Convention's understanding of it. Appended to the whole is a promise that the republic of Cuba will propose a treaty of reciprocity with the United States. This series of appendices has no legal effect or binding force except so far as the Platt amendment itself is concerned. All the explanations and interpretations and mutual understandings are void as to the United States, because they are not given by competent authority. They do not bind anybody except the present Administration, and perhaps not even that. The Platt amendment says that the United States may intervene in Cuba for the "maintenance of a government adequate for the protection of life, property, and individual liberty." Somebody must interpret this clause when the exigency arises and every time it arises. The interpretations of Secretary Root, given at a time when no exigency had arisen, will be of no value to his successor in office, even if we suppose that future Secretaries of War will have a preponderant influence in deciding the question.

Granted that all the explanations attached by the Cubans to the Platt amendment are superfluous, nugatory, and void, they do not commit us to anything. We are not bound to recognize anything except the fact that the amendment is accepted. The explanation may be embarrassing to Secretary Root. Embarrassment may arise from the fact that he was authorized by the President to make the explanations, but cannot proclaim that fact to the world. Under our theory of government, however, all the acts of members of the Cabinet are those of the President, unless disavowed by him. It is not likely that he will disavow Mr. Root's explanations, but it is announced, apparently by authority, that the Cuban form of acceptance of the Platt amendment will not be accepted by us, and that our forces will not be withdrawn. The whole subject, we are told, will be referred to Congress, and it is given out that Congress will not be called together before its regular session begins in December. Then we shall have—what? A public debate on the question whether a ratification of the Platt amendment by Cuba, with her understanding of what it means, is sufficient or not. This will involve a discussion of what Secretary Root said, and whether he was authorized by the President to say what he said. Of course, the Democrats will go largely into that question. Whether this is likely to add to the reputation of either the President or the Secretary, they must judge for themselves.

Bad management is written all over our latest Cuban misunderstanding and deadlock. We say this on the supposition that the Administration was not really desirous of provoking a quarrel, and that it honestly hoped to come to an amicable agreement with the Cuban Convention. If so, it certainly has been most maladroit. The Cubans may justly complain, as they do, not only that their sensibilities were disregarded, but that they were left absolutely in the dark. Remember that it was fully a fortnight ago that the form in which the Cubans proposed to accept the Platt amendment was made public. Since then not a hint has been given them that this would not be acceptable to the Washington authorities. Secretary Root said not a word. Gen. Wood, who was in constant communication with the delegates, and who had before imparted to them instructions from Mr. Root, gave no sign. The delegates were allowed to go ahead in ignorance and complete their work, only to have it brusquely thrown back in their faces. Whatever else this may argue, it does not argue tact or skill on the part of the Administration.

"The American people cherish good will toward all other Powers, and value a like good will in return. But we perfectly comprehend of what vital moment it is that every other Power be impressed at all times with a wholesome dread of having the United States for an enemy." These are the words of Frank W. Hackett, Assistant Secretary of the Navy, at the opening of the session of the Naval War College in Newport on Monday. The language is certainly less blustering than that of Senator Lodge at the Pan-American Exposition in Buffalo, and it is in better taste at a war college than it would have been at an industrial exhibition. The truth is, however, that this nation does not at present need to be spurred on to the task of inspiring others with a "wholesome dread." There is no immediate danger that the Powers of Europe or of Asia will go out of their way to tread on our toes, or that, in case they do offend us, we shall pocket the insult with contemptible meekness. The danger is that cheap politicians who are ambitious of notoriety will continue to indulge in swaggering talk in order to appeal to the groundlings, and will bring even more men of the "baser sort" to the conviction that fighting for fighting's sake is a good thing. Too many of us are already hankering to "lick" somebody; and our present study should be not to pick quarrels, but to do justice.

The settlement of the contest for the Northern Pacific Railway, or the truce between the contestants—whichever Friday's compromise really is—will be welcomed by every one having the interests of financial stability at heart. Continuance of an open fight between the two rival interests might or might not have resulted in further convulsions of the market, but it certainly would, by all experience, have ultimately led to disastrous "wars" of rates. We say disastrous, because not only shareholders in the companies whose profits are sacrificed, but merchants whose plans are unsettled by sudden and violent changes of transportation cost, would suffer. Apparently the compromise whereby both contending factions are allowed a liberal representation in the Northern Pacific management, leaves the community-of-interest plan at a higher stage of development than at any time heretofore. The Union Pacific management has a powerful voice in the councils of the Southern Pacific on one side of its own territory, and of the Northern

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Pacific on the other. This, however, is of course only one stage in complete development of the theory. It is now a question of no little curiosity, what the other railways whose interests touch this "community-of-interest" territory will have to say. Incidentally, and not without bearing on the same question, people will now ask, very pointedly, Who is to pay for these huge competitive purchases of transcontinental railway shares?

We have already had occasion to notice the continued increase in our merchandise export balance—an increase which would apparently be building up a new European credit, even if the balances formerly existing had been exhausted. The statement for April showed an excess of exports nearly a million larger than last year's, notwithstanding the fact that the balance in April, 1900, ran nearly twenty millions over 1899. Classified figures of April's foreign trade have now been published, and throw some interesting light on the steady gain. Exports of manufactured goods, which in the calendar year 1900 ran sixty million dollars over 1899, have thus far this year fallen twenty-three millions below the same months in 1900. Yet the heavy increase in other than manufactured exports has much more than made this decrease good. In April itself, though the shipment of manufactures fell off $5,000,000, that of agricultural products increased $6,100,000, and of forestry products half a million. This is again a striking witness to the varied character of our trade. The increase in total import trade during April was so slight as to attract no notice; but the detailed figures deserve consideration. A year ago such increase as existed was caused almost wholly by raw materials for manufacture. More recently imports of that nature have been decreasing rapidly—a result, we believe, chiefly due to the wool-trade situation. But meantime the April imports scheduled as "articles of voluntary use and luxuries" enlarge by the sum of $2,500,000. There is nothing startling in this showing; it is worth notice only because of the figure cut by such importations in former epochs of prosperity. Oddly enough, almost the whole of April's increased import of "articles of voluntary use" was in diamonds and jewelry.

Massachusetts makes another interesting contribution to the stock of public knowledge regarding municipal lighting plants, in the report from the manager of such a plant in the city of Taunton. It appears that the plant is nearly worn out, that the buildings are in danger of tumbling into a river during any heavy storm, that the machinery is out of date, and that the power needed to run it cannot be secured with the material on hand. In other words, the city must now build practically a new plant, or else go out of the lighting business. What renders this report the more striking is the fact that this Taunton experiment has for years been held up as an example of the successful municipalization of "public utilities"—a plant which not only furnished light for the street lamps and the city offices, but also for the offices and residences of citizens, and at the same time was "operated at a profit." The fact was, that no account had been taken of the steady depreciation of the plant, and of the approaching necessity for large expenditures to keep it running. The Boston *Advertiser* says that there is nothing exceptional in this experience; that other cities which have been showing bookkeeping "profits" have not been keeping their plants "up to date," and are already beginning, or will soon begin, to feel the effects. It maintains that the only way to figure out the municipal lighting plants in Massachusetts as profit-making institutions is by ignoring the item of "depreciation of plant," which no private company would ever think of doing.

A thorough expert examination of the Boston printing plant shows an apparent profit from four years' work of $5,482, but even this small return was secured only by reckoning every conceivable item to the credit of the business, including a hypothetical outlay which would probably have been made had the city's printing been done by private contract. If, however, the same plan be pursued with the debit side of the balance-sheet, there must be allowance for the interest which should be recovered on the initial outlay of $50,000, and which must be paid by the city on its bonds. Reckoning this interest at 4 per cent., the apparent profit turns into a deficit of $8,518 for the four years, an average annual loss of $2,129.50. On the other hand, no perceptible advantage has been gained by the city from its ownership of the business. The prices paid by it to the printing department for work done have been simply those ruling in the market. Moreover, the plant itself has, of course, been deteriorating in value, and is now worth some $18,379 less than the total outlay upon it. In the purchase of it, Boston made a bad bargain, and repairs and renewals have amounted to more than the original cost. The eight-hour day principle was accepted, while private firms were working ten hours, and a Saturday half-holiday was instituted, with the result that the expenditures for wages have been 20 per cent higher than they would have been if made by a private firm. The superintendent admitted that "undue influences" had been brought to bear upon him, and had shaped his action in the employment of men. The expert examiner concluded that "15 or 20 per cent. of the expenses of the department would be saved if the pressure of political influences in favor of applicants for positions were wholly removed, and the superintendent left entirely free to run his department as a private business is carried on."

Walking delegates have had some illuminating news to read in the last few days—that is, if the mind of a walking delegate be really capable of illumination. The tunnel strike in this city has failed completely, for the obvious reason that it was conceived in bad faith and carried out in ignorance. The workmen, as their own leaders frankly admitted, deliberately broke an agreement with their employers for the arbitration of differences; and consequently they have never for a moment deserved or enjoyed the sympathy of the public. Another matter of interest is the statement published on Tuesday from the National Cash Register Company of Dayton, Ohio. The company has cordially recognized the union; has spent thousands of dollars yearly to better the condition of its employees, and has given men ten hours' pay for nine and a half hours' work, and women ten hours' pay for eight hours' work; but has committed the unpardonable sin of discharging three or four men for incompetency, and one for improper conduct and indecent language. As a result, the employees have struck and have lost $120,000 in wages since May 3. The company offered to arbitrate the question of the discharges, but the union refused. Such gross mishandling of the "cause of labor" by the union must inevitably lead people to question both the sanity and the honesty of the organization.

Another negro burned at the stake, this time in Florida, comes as a happy illustration of Judge Brown's inherent justice of the Anglo-Saxon independent of Constitution or law. Not only independent, he may now say, but contemptuous. The man appears to have been a horrible brute, and his crime most atrocious; but laws exist, and a civil society is formed, for the express purpose of meting out punishment to such monsters in an orderly manner. The way of meeting fiendishness with fiendishness is simply a reversion to the Stone Age or even to anterior and more degraded barbarisms, if such there were. This mob ferocity, if unpunished, will again bring the nation into disgrace in the eyes of the world.

A woman has just been appointed a member of the Board of Regents of the State University by the Governor of Wisconsin, under the provisions of a law recently passed by the Legislature. Illinois has recently had a woman trus-

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tee of its State University, such a choice having been made in 1896. In the latter case the selection was made in the usual way for an elective office, through the nomination of a woman in the convention of the party which later carried the election. In Illinois, women have the right to vote for university trustees, and this probably inclined the political managers to look with favor upon the idea of giving a place on the ticket to a representative of the sex. In Wisconsin, however, no such consideration entered into the case, and the law authorizing the appointment just made was not passed in "recognition" of any element of voters. Both incidents illustrate the growing tendency towards the abolition of the sex line in matters of education. State universities are open to young women as well as to young men, and it is rightly felt that both sexes should be represented in their government and direction.

The Powers, in dealing with China, having "sized her pile" at 450,000,000 taels (say $315,000,000), have agreed to accept that sum by way of indemnity, and to be content with 4 per cent. interest on it until the principal is paid. It is said that the Emperor William rather plumes himself on this outcome, and considers that Germany has taken a leading position in the affairs of the Celestial Empire. It seems that, in addition to the glory of leading the military forces of the allies in the person of Von Waldersee, she has obtained from England the joint rights of guardianship of the Yangtse valley, and that she has obtained this without offending Russia. Seeing that England had no right of guardianship of the Yangtse valley from anybody competent to give it, but merely an understanding with Russia that the latter should not call it in question, the concession to Germany does not seem to be great, nor does the promise of Russia not to be offended by it seem self-denying. What Germany has gained in the public opinion of Europe by her course in China, we do not know, but on this side of the water she has added nothing to her reputation.

In the French Chamber of Deputies on Monday a member, while discussing the Chinese indemnity question, made some remarks, rather malapropos, on the "yellow peril" that gave distress to many persons in this country and abroad some years ago. The yellow peril was a phrase implying that the Chinese were about to become a great manufacturing people and would be able soon to undersell all others by the cheapness of their wares, due to the low wages prevailing in that country. The yellow peril was a nightmare of brief duration. According to the French Deputy referred to, it has been superseded by the American peril, which is founded upon the opposite theory, that we have become a great manufacturing people and are now underselling Europe by the cheapness of our products, due to or perhaps in spite of the high wages prevailing here. This American peril, said M. des Tournelles, was advancing with methodical rapidity. "The Napoleons of American industry declared openly that their enterprise meant the conquest of Europe and her economic ruin."

M. Delcassé, the Foreign Minister, to whom the question was addressed, confined himself to the Chinese indemnity question strictly. Either the American peril did not concern him, or he attached less importance to it than the Deputy who introduced it into the public debates. There is no doubt, however, that a large part of the European world is thinking the same things that M. des Tournelles said. The subject is under constant discussion in England. It drew out from Lord George Hamilton, the other day, an important statement touching American facilities and skill in bridge-building. Plans for warding off the American peril are in an inchoate state at present. The method most in vogue on the continent of Europe is a proposed Zollverein or joint tariff against American goods. This was broached by an Austrian statesman a year ago, and has been under discussion fitfully in the press since that time. The difficulties which beset it multiply the more it is examined. Shall this tariff be directed against American goods only, or shall it apply to all goods, wherever produced, in which America has a great superiority? Shall it extend to English goods made of American raw materials, as, for example, English tin plate made of American steel? How shall the resulting customs duties be divided among the members of the Zollverein? These and many other puzzling questions present themselves as soon as an attempt is made to draw up a treaty to carry the scheme into effect. In the midst of the parley the London *Times* comes out with a leader saying that England will have nothing to do with the proposed boycott of American goods. She will pursue her time-honored policy of buying in the cheapest market.

At the Socialist Congress in Lyons last week, "Comrade" Millerand's somewhat anomalous position was freely discussed. The more radical Socialists moved to censure the Minister of Commerce for his membership in a bourgeois Ministry, and when the vote was defeated by a large majority, some two hundred of the dissenting delegates withdrew in a body. It was then felt that the Congress had laid itself open to the reproach of supporting the Ministry and sanctioning the acts of M. Millerand's colleagues. So a carefully worded resolution was passed which disavowed Minister Millerand as a representative of the Socialist party, and declared that, in all dealings with the Government, the Socialists would consider only the interests of the proletariat. The situation, from one point of view, is a comic one. The Socialist Minister changes his denomination with amazing facility. When it is a question of censure, Millerand is "camarade" of all good Socialists; when it is a question of political support, no Socialist has so much as a bowing acquaintance with Waldeck-Rousseau's Minister of Commerce. There is a more serious aspect of a situation which shows in little the relation of the Socialists to the Ministerial majority; the Socialist allies of the Government accept favors, but assume no responsibilities. M. Waldeck-Rousseau has given them much already, and promises old-age pensions and compulsory arbitration of strikes. How much more must he promise them to retain their support? That is the problem before the French Premier.

It turns out that Mr. Carnegie's plans had been announced before they were fully perfected. Scottish educators were in consultation with him as to the proper disposition of the gift when unfortunately some one "leaked," and set off prematurely the wiseacres of the press. In a long course of generous giving, it has never been Mr. Carnegie's way to give without consulting with the recipient and making sure that the gift was acceptable; and while the details of his Scottish benefaction are not yet known, it may be taken for granted that the money will be wisely expended. This much appears certain, that the money will be spent at least in part for secondary schools; that there is something more in mind than the supplying of free university scholarships; and that the gift will help towards the coördination of the Scottish schools, from the lowest to the highest. The reaction upon the English educational system—or rather chaos—should be considerable. Already Scotland, with her popular universities and secondary schools under the School Boards, is far in advance of England; when a well-articulated system is achieved in Scotland, England will hardly be able to stand still without adequate secondary schools or universities for the people. Already the reproach of present conditions is keenly felt in England, and Tories like the Duke of Devonshire and Liberals like Sir H. Campbell-Bannerman unite in urging upon wealthy Englishmen the duty of emulating Mr. Carnegie, in a more generous support of the English universities. Mr. Carnegie may well have forecasted these secondary effects.

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COURT AND ADVOCATE.

The members of the Cabinet with the President on his travels sent a telegram to ex-Attorney-General Griggs, congratulating him upon "the action of the Supreme Court in sustaining the able argument he made before the Court." It followed that these members of the Cabinet had not read or weighed the various opinions rendered by the Court. The fact is, that the Court was 8 to 1 against the main contention of Mr. Griggs—namely, that Congress is unhampered by the Constitution in dealing with the Territories; that it could, for example, as he maintained, levy an import tax on goods coming from Arizona. This was explicitly stated by Chief Justice Fuller. Referring to the opinion of Justice White, concurred in by Justices Shiras, McKenna, and Gray, he said that it distinctly "rejected" the "position assumed by the Attorney-General with a candor and ability that did him great credit"—the position, that is, that "the power of Congress over all the Territories is not restricted by the Constitution."

This is strictly true, and it is highly important to have it known. Judge Brown, whom all the Administration newspapers, along with his colleagues on the bench, are rebuking for his muddled and inconsistent opinions, was the only one to go over to Mr. Griggs's view. Who is to be congratulated, or commiserated, on this it would be hard to say. The facts are as follows: Chief Justice Fuller, with Justices Brewer, Harlan, and Peckham, held that Porto Rico is a part of the United States, and that the constitutional rule of uniformity in taxation applies to it. Justice White, with the assent of Gray, McKenna, and Shiras, held that Porto Rico is not a part of the United States, but that, if it were, the constitutional rule would apply. Only Justice Brown took the Griggsian position that Porto Rico is a part of the United States, but that the Constitution does not apply. As Justice McKenna remarked, in his sneering criticism of Justice Brown, it was indeed a "strange road" which brought together such contradictory and mutually repellent opinions as really went to the making up of the majority decision of the Court. But, in any case, it is satisfactory to know that the Court was 8 to 1 against Griggs. The Territories are safe, even if the islands are not, from unequal and unjust taxation.

Now, upon what did Justice Brown rely, in the last analysis, for his opinion that Congress has unrestricted power over newly acquired territory? Confessedly, upon the inconvenient "consequences" which would follow from a constitutional restriction of that power. If the old constitutional view were to be clung to, he said, "the consequences will be extremely serious." Justice White was equally explicit. He made out Porto Rico to be neither fish nor fowl nor good red herring, but, as the Chief Justice said, a kind of "disembodied shadow in an intermediate state of ambiguous existence for an indefinite period." Why was he driven to do that? From the fear of consequences. He asserted that the "incorporation" of territory by treaty "may wreck our institutions," by bringing in "millions of inhabitants of alien territory" to overthrow "the whole structure of our Government." It was to "avoid evil consequences" that Justice White felt bound to hold that Porto Rico was not a part of the United States, and so that its citizens were not entitled to any of the privileges and immunities of the Constitution of the United States. Upon all this strange judicial reasoning *ab inconvenienti*, we think the sufficient comment is to be found in Justice Harlan's opinion: "If a particular race will not assimilate with our people, and cannot with safety to our institutions be brought within the operation of the Constitution, *that is a matter to be thought of when it is proposed to acquire their territory by treaty.*"

But it is a superb indifference to "consequences" which Justice Brown displays when it comes to the consequences of his own decision. He refers to the fears which "many eminent men" feel lest "an unrestrained possession of power on the part of Congress" may lead to a "centralized despotism." Never fear, says the cheerful Judge, for "there are certain principles of natural justice inherent in the Anglo-Saxon character which need no expression in constitutions or statutes to give them effect, or to secure dependencies against legislation manifestly hostile to their real interests." On this the only appropriate remark is that there is also a certain thing known as "gall" in the Anglo-Saxon character, and that Justice Brown shows us what it is. What has all the fight for Anglo-Saxon charters and statutes and constitutions, from Runnymede to Bunker Hill, been about? When we were a dependency of Anglo-Saxon Great Britain, did the inherent justice of the Anglo-Saxon character protect us from legislation hostile to our real interests? Has Justice Brown never read the Declaration of Independence, with its picture of the inherent justice of the Anglo-Saxon character? And what would he say of the inherent justice of the Anglo-Saxon character in governing Ireland to-day?

We can scarcely speak of such nonsense with patience. It is not contempt of court to point out the glaring absurdity, the travesty of history, involved in these assumptions of Judge Brown's, because his own colleagues on the bench do it. They justly say, and in weighty words, that this has always been a government of enumerated powers. If Anglo-Saxon character stands for anything, it stands for dread of unlimited power, whether in King, President, Parliament, or Congress. To secure the citizen in his liberty, the local government in its rights, by a *litera scripta*, has, in fact, been the norm and aim of the Anglo-Saxon struggle for freedom. Talk about aliens overthrowing the structure of our government! We do it ourselves the moment we make light of the solemn constitutional checks on the madness of the hour, on the ambition of men in office, on the power of a popular assembly.

It is because we believe that the recent decision of the Supreme Court does, in the grave language of the Chief Justice, tend to remove well-considered and constitutional "limitations on the exercise of arbitrary power," and to make justice, in ex-President Harrison's phrase, a matter not of right, but of benevolence, that we consider it too serious a departure from our past—from the past of our race—to remain long unquestioned. We must hope, with Mr. Bourke Cockran (Judge Brown ought to consult him about the inherent justice of the Anglo-Saxon character), "in the future litigations to which it opens the door, that the conclusions of the minority, vindicated, as truth is always vindicated, by a saner and more harmonious process of reasoning, will prevail over the decision reached in a tumult of confusing, contradictory opinions by an irreconcilably discordant majority."

A CASE FOR REARGUMENT.

The more the decision of the Supreme Court in the insular cases is studied, the less satisfaction it gives to anybody. It left unsettled as much as it settled, and, in what it purported to settle, resort was had to violent forcing of opposite arguments into a mechanical, not a chemical mixture. The result is that even so good an Administration newspaper as the New York *Times*, which hoped for and accepted the decision giving Congress unlimited power over our island possessions, speaks of the opinion of the Court as without "intellectual or moral weight." In fact, the entire press of the country is busy pointing out or trying to explain away the inconsistencies of the several decisions. The Attorney-General is in doubt what the real effect of the decision is; so is Secretary Root, so is the President. There is a general and painful feeling among lawyers that the decision was really *in*decision, and that the Court went upon the theory which Cardinal Newman declared to be that of all trimming minds, that "Mistiness is the mother of reason."

Now, in these circumstances, we submit that it is highly desirable for the Supreme Court to follow its own precedent in the income-tax cases and order a reargument. On the 8th of April, 1895, the Supreme Court rendered its

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first decision on the constitutionality of the income tax, but this was as halting and inconclusive as its present decision in the insular cases. It upheld parts of the Income-Tax Law, disallowed parts, and was silent as to other parts. This left all parties dissatisfied; and application was made for reargument. When this was granted and had, the Court, as everybody knows, arrived at a clear-cut decision on all points. It will be remembered, also, that a highly effective part of Mr. Choate's second argument was the use which he made of the partial decision of the Court in its first opinion. It had decided that a tax on income derived from land was unconstitutional, and the advocate pressed home the reasoning that, having gone so far, it must go farther, as it finally did. And in the present decision of the Supreme Court a similar opportunity is offered to build up a powerful argument *ex concessis*. We will briefly indicate it.

In the opinion read by Justice White, Justices Shiras and McKenna concurring, he said:

"If that island [Porto Rico] was a part of the United States, the duty was repugnant to the Constitution, since the authority to levy an import duty conferred by the Constitution on Congress does not, as I have conceded, include the right to lay such a burden on goods coming from one to another part of the United States."

Now, who is to decide whether Porto Rico is a part of the United States? The Supreme Court, of course. Well, the Supreme Court had decided, *that very afternoon*, that Porto Rico *is* a part of the United States. The decision in the De Lima case, read by Justice Brown with the concurrence of four other justices, held that territory acquired by treaty is "acquired as absolutely as if the annexation were made by act of Congress" (Texas and Hawaii), that, "by the ratification of the Treaty of Paris, the island became territory of the United States," and that, therefore, "the duties were illegally exacted."

What Justice White and those who concurred with him did, therefore, was to upset a decision of the Supreme Court within an hour or so of the time it had been rendered. The doctrine of *stare decisis* did not stand for one afternoon. "If," said Justice White at 3:15 P. M., "Porto Rico was a part of the United States——" "But, your Honor, the Court of which you are an ornament decided only an hour and twenty minutes ago that it *is* a part of the United States. If the Court can reverse itself with this lightning speed, may it not turn squarely about on its present decision before the ink dries on its opinions?" Justice White was perfectly frank about what was going on. In his dissenting opinion in the De Lima case he bluntly announced that the Court was about to undo its work in that case, and would reverse itself in a few minutes. So it did, but what an astonishing performance for the highest court in the land!

Suppose the De Lima case had been decided last instead of first. Then that would in principle have reversed the decision in the Downes case, and the Court would have held the Porto Rican tariff invalid! Surely, we do not like to think of the effect of two judgments of the Supreme Court, read on the same day, depending wholly upon the order in which they are read. It is too much like one set of judges "getting the drop" on the other, or importing into judicial matters the traditional value of the "woman's last word." What it all grew out of is perfectly clear. The judges were hopelessly at variance. They wrote separate and conflicting opinions, and passed them around to be criticised and cut up by each other. Then it was suddenly discovered that there was a surface agreement in a conclusion—though reached by totally irreconcilable arguments—between Justices Brown, Gray, McKenna, Shiras, and White, and that, if they were shrewd enough to read their decision last, thereby upsetting at 3:15 a previous decision rendered at 1:55, it would stand as the decision of the Court!

If this is not a plain case for reconsideration, rehearing, and reargument, there never was one. The first income-tax decision was a model of lucidity and logic compared with the limping, the obscure, the inconsequential and self-contradictory opinions in the insular cases. The glaring and instantaneous reversal of itself by the Court which we have pointed out could be used with deadly effect by counsel in a fresh argument. That is what is needed—argument on the law and Constitution, not orations about "consequences," not assertions that this is a "sovereign nation" and can therefore do what the Constitution says it cannot do. There is an old story of an expatriated Scotsman on his deathbed to whom a well-meaning clergyman brought the consolations of religion. He offered the usual aid in vain. "Na! na!" said the Scotsman, "I dinna want ye to pray or to read to me, mon—I want ye to argy." That is what the American people wants of the Supreme Court—not selections from Imperialistic Scriptures, not prayer to the god of battles, but argument on the law and the Constitution—argument that is convincing and that does not visibly cut its own throat. As we have not yet had this, we can but hope that the Court will find a way to give it to us before it gets through with the insular cases.

CHRISTIANIZING CHINA.

Announcement was made on Monday of Count von Waldersee's withdrawal from Pekin, although a part of the German forces will remain some time longer. The American troops departed several weeks ago. The French and the greater part of the Japanese are now marching to the coast. Within a short time there will be no foreign military force in Pekin except the usual legation guards. That the troops of the so-called Christian Powers have done their work thoroughly there can be no doubt. Over the country occupied by them they have made a solitude which is called peace. A quietness almost like that of death reigns over the territory between the seacoast and the capital of the Chinese empire. A recent letter from the special correspondent of the London *Times* tells in these words what he witnessed there:

"Seldom has a population had to suffer so severely for the sins of its rulers as the misguided people of northern China. I have seen countries devastated by war during the Franco-German struggle and during the Russian campaign in the Balkans, but none presented such a scene of desolation as the region traversed by the railway between the mouth of the Pei-ho and Pekin. It is, of course, in many cases difficult to distinguish between the destruction wrought by the Boxers and the Chinese troops and that inflicted by the allied forces; and, as far as the latter are concerned, allowance must be made both for the legitimate exigencies of warfare, and for the natural tendency towards reprisals which a conflict with a barbarous foe is bound to stimulate. Yet it cannot, I fear, be denied that our vaunted civilization has little reason to be proud of the mark which it has left on northern China in the last year of the nineteenth century. Not that the Chinese themselves have any right to complain, for, according to their own standards, they have been treated, on the whole, with a leniency they can hardly understand; but those are not the standards which Western nations have set up for themselves."

This writer, although not wishing to dwell on the horrors that passed under his eyes or came within his knowledge, relates particular instances of wanton cruelty committed by soldiers wearing the uniform of civilized states, that would disgrace the Apache Indians. These were outrages not visited upon soldiers in arms, or upon people giving trouble in any way, but mostly upon men, women, and children who were trying to avoid it. Take one example out of many:

"A few days after the occupation of Pekin a Chinese woman with two small children, one of them a mere baby in arms, was crossing the Beggars' Bridge, outside the Chien Mên gate, in the main thoroughfare leading from the Chinese to the Tartar city, when a party of Russian soldiers came along. The woman was not quick enough, apparently, in getting out of their way, so they prodded the mother and the baby with their bayonets, and threw them over the parapet of the bridge into the canal below, and as the other child, a boy of five or six, lay screaming on the ground, one of the Russians seized him by the heels, dashed his brains out on the marble flags, and then flung the body headlong after the others."

These and similar horrors were justified by the Russians who committed them on the ground that, in dealing with Asiatics, it is necessary to strike hard and swiftly, and that mercy can only be shown after inspiring terror in the minds—of whom? Of the enemy? No, of babes at the breast, and of poor women seeking to carry their children out of danger.

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Shocking as are the scenes where the helpless non-combatants came in contact with Christian bayonets, the picture of the waste and ruin of agriculture in the open country is, perhaps, more melancholy, since it betokens famine among a people who are seldom far removed from it. From Tientsin half way to Pekin, not a village nor even a house has been spared. Although the most fertile district in North China, supporting a dense population, it is to-day a wilderness. Not an acre of land is under cultivation. Not a cart, or a tool, or a domestic animal is to be seen. The whole population has disappeared. Whether they are alive or dead no one knows. Still less can any one say how they shall be fed the coming year, if they are still living.

The *rapprochement* of England and Germany does not prevent the writer in the *Times* from telling the truth about the German contingent. They did not arrive at Pekin until the fighting was over. Therefore, they did not have the excuse of hot blood for their ravages, "yet both in Pekin and the surrounding country their hand has, in the long run, proved systematically heavier upon the natives than perhaps that of any other nationality." They laid to heart the Emperor's words when he made his parting speech to them, and executed his commands to the letter. Reference is made also to the plunder of the Chinese Observatory by the German and French commanders, who agreed to divide among themselves, for the museums of Berlin and Paris, the splendid bronze instruments that have stood on the wall of Pekin for more than two centuries. Nothing in the whole campaign has put such a stigma on Germany and France together as this act of official plunder.

It is some consolation to be assured (as this writer tells us) that the American soldiers had small share in the work of wanton butchery, devastation, and plunder. We were a part of the allied forces. That was unavoidable. We were and are foremost among the peoples seeking to introduce the Christian religion into China. What impression has been made on the Chinese mind by the barbarities practised upon them during the past nine months can be only faintly imagined. If the Chinese are like other people, more hatred and terror of the Christian name must have been engendered in their breasts than can be removed by the missionaries in a hundred years.

TRUSTS AND PUBLIC POLICY.

In the June number of the *Atlantic Monthly* Prof. Charles J. Bullock of Williams College has a well-considered article on the subject of "Trusts and Public Policy." His aim is to ascertain how far the existing combinations of industries are justified by any service which they render to the public; what remedies are available to correct the evils of monopolized industry; and whether, if monopoly is inevitable, it ought to be private or public.

Professor Bullock considers that the claims put forth by the promoters of Trusts that they are conferring a benefit upon society by introducing economies in production, are misleading, or, at all events, inconclusive. While it is true that production on a large scale can be usually carried on more cheaply than on a small scale, this principle has its limitations. Steel cannot be produced more cheaply in the Carnegie works since they became a part of the United States Steel Corporation than before. After a certain amount of capital has been invested in a factory of any sort (a sugar refinery, for example), the maximum of efficiency is attained. If there are a dozen sugar refineries in the country, the cost of refining sugar is not lessened by bringing them all into one corporation. The cost of distributing the product may be lessened, but this is accomplished by abolishing competition. The consumer gets his sugar from one refinery only. He has no longer the choice of several. Abolishing competition does not usually result in lowering the price to the buyer. It is not intended to have that result. "One meets the reckless assertion," says Professor Bullock, "that the Trusts have not advanced prices, but the simple fact is that, in almost every case investigated, combination has been followed by an advance in charges." In a few cases where the contrary has been observed, the result has been due to a decline of the raw material. The test of the benefit to the public is found in the margin between the raw material and the finished product, not in the absolute price of the product to the consumer.

Mr. Bullock examines the other claims put forward by the Trusts that they are promoting public interests as well as their own particular interests, and finds them illusory or doubtful. On the other hand, he thinks that it is not to the benefit of society that the great bulk of the manufacturing, railroad, steamship, and perhaps banking interests of the country should be concentrated in the hands of a small group of capitalists, "wielding a power such as has never fallen to the lot of captains of industry in any other age."

Turning to the familiar question, "What are you going to do about it?" Mr. Bullock acknowledges that the difficulties are great. But he does not see any helpfulness in the attitude of certain professional economists, who advise waiting till we get more knowledge—waiting to see how it will all turn out. "Existing Trusts possess sufficient power to make the danger of ultra-radical action decidedly small; while there is always a possibility that our final remedies may be postponed until they come too late." In the first place, he would take away from the Trusts all the advantages that are now given to them by public favor. He would take away their tariff privileges. He would attack them through the railroads in every case where the railroads grant favors to them not shared by the general public. He would agitate for a national law regulating corporations of the States, in order to prevent the Trusts from dodging hither and thither, according as one State gives them better terms than others. His general ideas are set forth in the following paragraph:

> "The simple fact is, that existing laws relating to tariff duties, railroads, patents, and business corporations have offered every conceivable inducement to consolidation, and have complicated the existing situation to such an extent that we are often unable to distinguish the results of permanent economic principles or forces from the effects of our own unwise legislation. Until we remove the abuses caused by laws of our own making, we shall probably secure no general agreement in the economic principles involved; but our doubts upon many of the economic aspects of the question should not serve as an excuse for delay in removing the evils caused by forces that are in our control."

Of one thing Professor Bullock feels entirely assured, and that is that combination and consolidation are playing into the hands of the Socialists. Every new step in this direction assures them that the consolidation of all industries in one central organization would be a grand success, and, of course, that should be the Government, which exists for all. Hence, the rapid spread of the idea that municipal utilities, such as gas, electric light, and street railways, should be owned by the cities, and operated in the interest and for the profit of the public. Upon this point Professor Bullock says:

> "When the people once gained an appreciation of the fact that monopoly is inevitable in the field of municipal-service industries, the question immediately arose: Shall this monopoly be private or public? And the last ten years have witnessed a remarkable growth, among conservative people, of an opinion favorable to public ownership. The same question will certainly arise if thinking men ever become convinced that in manufacturing and other industries competition is impossible and monopoly inevitable. Only two possible alternatives will then present themselves—public or private monopoly—and those who are now occupied with the promotion or justification of Trusts will be the persons chiefly responsible in case the balance finally swings in the direction of Socialism."

Professor Bullock's present remedy is the amendment or repeal of certain laws under which the Trusts have taken shelter, or by which they have built themselves up, notably the protective tariff. This is both simple and feasible, and it is in accord with the opinions of most investigators. His suggestion for a national law of corporations would impose new and onerous duties upon the Federal Government; but it may be necessary for it to assume them. The Interstate Commerce Law points the way to such an enactment. What powers the Federal Government should assume to-

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wards corporations, and how they would operate as a curb on Trusts, is a matter for careful consideration. Probably the first thing would be to require publicity of capitalization, value, earnings, dividends, etc.

Professor Bullock's concluding observation that the makers of Trusts are paving the way for Socialism is both true and weighty, but it will not deter anybody from sending out a prospectus to-morrow for a new Trust if the materials to form it can be collected, and if the public will furnish the money. The chance that at some time, more or less remote, Socialism, or the bears, may swallow us, will alarm neither the promoter who makes the shares nor the people who buy them. Both will expect to get away with their profits before the bears make their appearance.

VETERANS vs. RECRUITS.

The editor of *Harper's Magazine* comments in the June number, with the combined geniality and positiveness characteristic of his profession, on the letter of a correspondent who attacks him for giving so much space to the work of old writers. His critic complains that the old writers, although they may present new things, clothe them in an already familiar fashion, and—pursuing the same metaphor—suggests that publishers of books or magazines should follow the example of the milliner who prepares novelties for each season. In reply, the editor offers a plea of not guilty: he would rather have expected a protest against the readiness of his welcome to new writers, for whom he is always eagerly on the lookout. At the same time, he hopes that his readers are not as capricious and inconstant as his correspondent's letter would indicate, for there is no better work being done to-day than by some of the veterans. "They hold their place by merit, and not by indulgence."

This "Battle of the Books" is only the contemporary phase of a warfare that is renewed from generation to generation. Fifty years hence, editors will be discussing the same question, as they discussed it fifty years ago. It may be well to state here some considerations that are often overlooked. In the first place, there is not necessarily greater freshness or originality in the work of a new writer than in that of an old one. The beginner is indeed the more likely to be dominated by the influence of some master, or masters, of his craft. This is especially the case in the début of a poet, whose verses are almost certain to recall the mode of some earlier singer. R. L. Stevenson consciously made himself the "sedulous ape" of older writers until he had fashioned a style of his own; but it is generally without any such deliberate purpose that the experimenter in poetry practises his echoes. Sometimes many years pass before an authentic note begins to be heard. There is little interest for the reader in the exercises of this initiatory process; they can scarcely give greater pleasure than the study of a schoolboy's copy-book. It is this conventionality of the beginner that delayed the acceptance of 'David Harum.' The first part of the book, running to scores of pages, gave no sign of anything different from the work of hundreds of other writers. Publishers' readers, who are expected to taste a MS. rather than to devour every scrap of it, naturally rejected it one after another. On the evidence of such quality as the author had displayed in this first section, no other verdict was possible. It is not until one reaches the character of David Harum himself that any "distinction" is evident. A practised writer might not have drawn this character with greater skill than Mr. Westcott's, but he would not have handicapped his story by putting so much amateurish commonplace in the forefront.

On the other hand, the experience of the mature author is not all to the good. It has brought with it, of course, a certain mastery of technique and, unless the man is a hermit, a wider acquaintance with human affairs; but the discovery that such and such a kind of work "takes," exposes the writer to the danger of limiting his efforts to the style that has brought him popularity. He may have such a wealth of resource that he can produce book after book on the same lines without becoming thin, but it is at least possible that he may not. In that case, this very frequency of practice becomes a drawback. For example, a short magazine story, whose climax is a pathetic death-bed, may move the reader to tears; but he resents being expected to weep at a dozen such scenes successively disposed in one volume without a dry interval. There is really no demand for a literary specialist in death-beds. Dr. Conan Doyle's termination of his Sherlock Holmes series has caused keen regret to a multitude of admirers, who would fain have accompanied the ingenious detective in the unravelling of further mysteries; but the author's decision was probably a wise one from the standpoint of his own reputation, which is now in no danger of suffering either from any falling-off in his own skill or from any relaxation of the interest of his readers.

In another respect, also, the literary veteran is exposed to greater danger than the recruit. While the years may not have taken anything either from his intellectual resources or from his workmanship, his very success may indirectly have impaired his quality by making him indifferent to thoroughness of preparation. He can no longer afford the time to take pains. His own contracts, by which he has pledged himself to deliver at fixed dates various combinations of so many thousand words, hamper both his peace of mind and the spontaneity of his work. To the successful author the demands of the publisher for punctual "copy" scarcely allow greater opportunity for quiet contemplation than is permitted to the midnight journalist by the printer's devil. The result is that the books produced under such conditions gasp with the breathlessness of a reporter's "story" written against time. The very pressure of these conditions may give life and movement to their product, but it will be lacking in that maturity of thought, as well as that charm of style, without which no literature can endure.

In this perpetual competition between the old writer and the new, there is one point in which a beginner will always have an advantage. His work may suffer from excess of imitation or from lack of experience and skill, but, if ability is there, the mysterious element of "promise" will give him favor in the eyes of the reader. In watching the development of a young writer one is kept constantly alert by the possibility of surprises. The seniors, by the time they have become seniors, have their strength measured and their place allotted; the verdict upon them may perhaps be revised in some degree, but it is not likely that the material for the verdict will be affected by any later addition. If old age contributes a supplement, its style and quality will be of a piece with what has preceded. But when a new force is revealed in the literary world, who knows what channels it will make for itself before it is spent? The sub-editor of an Indian newspaper catches the public ear by short stories depicting the life around him with a graphic realism unequalled by any previous writer. It is evident that he has a future; but what critic can predict that from his pen will some day come "The Recessional" or "McAndrew's Hymn"—not to say "The Absent-Minded Beggar"? When to the intrinsic attraction of an interesting book there is added the fascination of a literary problem, this combination of the known and the unknown should suffice to put the work of any new writer of talent high up on the list of publishers' sales.

A SPECIAL VISIT TO A PARSI TOWER OF SILENCE.

INDIA, April, 1901.

When travelling in India, a visit to Bombay means necessarily a visit to the Parsi Dakhmas, or Towers of Silence. There, on Malabar Hill, the finest site of the City of the Beautiful Harbor, the faithful followers of Zoroaster expose their dead to be devoured by the vultures, or heaven-sent birds of Ormazd. Scrupulously, these worshippers keep up the prescriptions of the Avesta, their ancient sacred book, which prohibits burning a body, or burying it, or throwing it into the water, lest the sacredness of nature's elements be defiled; and, whatever may become of the mortal remains of the human frame, they believe firmly in the immortality of the soul. A strange custom their ancient mode of disposing of the dead seems to be, and yet in a tropical climate much may be said in its favor.

The delightful situation of the Bombay Towers might make one "almost in love with death," as was said by Shelley of Keats's final resting-place at Rome. Situated in the midst of luxuriant palm gardens that crown with a heavy garland of tropical vegetation the hill on which they stand, they command a delightful view over the outspread city beneath, or again far over the blue bay of this Naples of the East. But neither the visit which I first paid to these Bombay Towers of Silence, nor the afternoon spent at the Dakhma in the city of Ajmere, where the Tower stands upon a fine height amid sharp jutting hills, and where I was allowed to approach nearer than ordinarily to the forbidden precinct, interested me so much as the visit which it was my privilege to pay to the new Dakhma at Ooran, near Bombay, on returning to that metropolis for the second time. I was on the point of starting for Madras and Ceylon when, late in the afternoon, a note came from one of the most distinguished of the Parsi priests telling me I should have an opportunity that rarely occurred of seeing

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next morning a Tower of Silence, not from the distance of thirty paces, prescribed by the ancient books, but from near by; and not from the outside, but from the actual inside of the Tower itself. This was a new Dakhma that had just been finished, but not yet consecrated, for otherwise a non-Zoroastrian would never be allowed to enter its walls or to approach the building so closely. The site where it was erected was Ooran, on an island some miles across the harbor of Bombay, and the hour for starting, as the note stated, would be before dawn of the following day. It did not take long to arrange my travelling details so as to be able to accept this unusual invitation, an unexpected occasion to which I looked forward naturally with the liveliest interest.

It was not yet daybreak next morning when the eldest son of the white-robed priest came to my door at the hour appointed. He was to be my guide to the shore, where the rest of the party were waiting, and a steam launch was in readiness to convey us to the island. As I reached the quay, there stood the kindly priest; and the warm welcome that greeted me from his genial hand seemed like a matin benediction. His wife and children were with him, and the graceful presence of the daughter and widow of a late distinguished French Orientalist made this momentary union of East and West the more complete. The sun was just coming up out of the bay. As its brilliant disk appeared above the waves, we noticed near by a Parsi worshipper greeting the rising orb of day, and reciting appropriate verses from the Avesta, with prayers added in his Gujarati vernacular. Another worshipper at that early hour had brought to the strand an offering of cocoanut, rice, and betel leaves—a gift to the waters, as our host, the priest, explained. In a minute or two more the sun was wholly risen, and we were ready to embark. An hour's delightful sail under full steam brought our launch beneath the hill of Ooran, and there on the height, sharply outlined against the green background of the sloping hillside, stood the new Dakhma, to which our visit was to be paid.

The settlement of Ooran itself is chiefly made up of wine-producers and wine-merchants. The most of these are Parsis; and, curiously enough, in this way is kept up the tradition of the tavern "wine-house of the Magians," so familiar in Persian poetry, as our priestly host incidentally mentioned, and as readers of Hafiz and Omar Khayyám will well recall. A pleasant group of these descendants of the "Magians" of old stood ready now to greet us on the Ooran pier. A hearty welcome it was as we set foot on the slippery stones of the wave-washed causeway, and a few minutes later we were whirling along up the hill toward the Tower in little two-wheeled tongas that resembled, for all the world, a covered jaunting-car set wrongwise on its axle. A firm hold one had to keep on the side of these jouncing vehicles to retain one's seat, as the skurrying little horses dashed madly round a sudden bend of the rough road at headlong gallop. The view, however, was lovely. The bristling cactuses that lined the reddish sand of the dusty path seemed to set off the mass of tropical shrubs and creepers that served as a background and gave place in turn to a screen of soft, waving palms. Through this rich curtain of varied hues, a glimpse could be had over the bay to the distant city, now sharply defined in the blazing sun, that combined with the blue of the sea in producing a striking image of complex light and shade.

But now we are arrived at the Dakhma itself. It is not so large as some of the Towers in the group at Bombay, for Ooran's population is not extensive; yet its circumference, I should say, was not less than seventy-five feet, and its diameter a third of that amount. The wall of the Tower struck one as being a dozen feet high, and it is built from blocks of a handsome brownish stone carefully set and firmly cemented. The whole structure rests upon a solid foundation of masonry. A tablet over the entrance door records that the building belongs to this community, who still join in keeping up the Zoroastrian creed. The consecration services had not yet taken place, as after that no living person except the *nasasalars*, or body-bearers, is allowed to enter the Dakhma when once the building has been dedicated to its sacred purpose. Entering through the stone portal with its iron door, a person might imagine himself within some large gas reservoir built of massive stone. But the top is wholly open to the sky so that the sun may shine inside without obstruction. Around the stone coping of the wall ran the ledge where later the expectant vultures will sit. The circular floor of the Dakhma was carefully paved with large flagging-stones, each slab being the size of a human body, and scooped out to the depth of two inches. These slabs or receptacles are called *pavis*, and they are arranged with mathematical precision in concentric rows around an open well or pit in the centre of the Tower. Towards this they all slant with a slight inclination, so that the floor of the Dakhma is a little lower all round the central pit than near the encircling wall at the outer edge. The reason for this will presently be clear. The entire arrangement of the concentric rows of *pavi* slabs that make up the floor, recalled great bands on the spokes of some huge wheel, the central pit being the hub. What I have termed the spokes are nothing else than narrow channels or ducts that lead from each receiving slab into the central well. They act as conduits for any fluid matter that may run from the skeleton after the carnivorous birds have completed their task. These ducts, moreover, as the priest pointed out, are carefully constructed so that the contents of one receiving slab shall not in any way empty into another, but each *pavi* remains separate and distinct from the one that adjoins it. Sufficient space is also allowed between each of the concentric rows of slabs so that the corpse-bearers may move freely about in performing their necessary functions. The new Tower at Ooran differs from the ordinary Dakhma in one slight detail. In the ordinary Tower of Silence the innermost circle of the concentric rows, with its receptacle slabs naturally narrower and smaller near the central well, is reserved for children; the second row is for the bodies of women; the outermost and largest *pavis* are designed for men. At Ooran, however, the entire space between three of the spokes is simply constructed with shorter and smaller receptacles, the size of a child's body; all the other slabs are the full length of a human frame.

Our attention was next drawn by the priest to the central well. Its diameter was about ten feet, and its depth nearly the same. A couple of stone steps lead down to the bottom. These are for use when the *nasasalars* have to descend to clear the outlets from it into the four great drains that run out at right angles beneath the floor of the tower and terminate in porous cisterns of chalk, quicklime, and sand, for purifying any possible remains that might defile the sacred earth by their flow. The central pit itself is an ossuary. After the body on the stone receptacle above has been denuded of the flesh by the ravenous birds, as happens in less than an hour, the skeleton is allowed to remain for a fortnight or a month undisturbed. The *nasasalars* then, with iron tongs and gloved hands, take up the bones and deposit them in the well, where they soon crumble into dust or are reduced to powder by the bleaching heat of the tropical sun. Thus, high and low, rich and poor, old and young, are brought together by all-levelling death. United in life and undivided in death, the Parsis form a single and individual community.

After inspecting the structure from the other side of the pit, and noticing an iron chain that ran from the stone floor where we were standing to the top of the Dakhma wall, a means of escape in case life by any chance were really not extinct when the body was brought into the Tower, our attention was called to a loophole in the closely cemented circling wall. A peep through this opening showed that it looked directly out towards a little chapel or shrine, the Sagri, a hundred or more feet away. As soon as the Dakhma is dedicated, a lamp with unquenched flame will burn night by night in this Sagri, so as to send its beams through the loophole into the Tower itself. Thus, true to the tenets of the Zoroastrian belief, the place of the dead is never without light, the sun by day or the beams of this hallowed lamp by night, symbolic of the light beyond the present life, the ray of hope beyond the grave.

Our priestly host also explained certain other details of his faith—a faith which has numerous points of resemblance to our own Christianity—and of which he is a noble representative in the excellence of his character and in the conduct of his daily life. But the time had arrived for us to leave the Dakhma, as the morning sun was beginning to scorch with its blazing heat. Hospitality and breakfast, however, awaited us at the home of a member of the Zoroastrian community, another follower of the teachings of the Prophet of Ancient Iran. A walk through the beautiful Oriental gardens of this gentleman's estate completed the visit. The Tower will soon be consecrated to its service in carrying on that ancient Persian method of disposing of the dead, regarding which so much has been written, even from the days of Herodotus, the father of history. A. V. WILLIAMS JACKSON.

MADAME D'HOUDETOT.

PARIS, May 21, 1901.

The name of Madame d'Houdetot will be remembered as long as any one reads the 'Confessions' of Jean Jacques Rousseau; but she deserved a better biographer than M. Hippolyte Buffenoir, who has just published a volume under the title of 'La Comtesse d'Houdetot: Une Amie de J. J. Rous-

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seau.' Madame d'Houdetot belonged with Madame d'Épinay to the "société polie" of the end of the eighteenth century; not to the society of the Court, but to that which was recruited chiefly in the wealthy world of the *fermiers-généraux*, and in which we find, along with very loose ideas of morality —we may almost say much corruption— great refinement and culture, a passionate love of art and of literature, a great leaning towards the new ideas which were current under the name of philosophy. But if Madame d'Houdetot lived in the charmed circle to which Madame d'Épinay, her sister-in-law, belonged, she cannot be compared with her in a literary sense. The memoirs of Madame d'Épinay are extremely clever and agreeable, and are among the most interesting documents of the time which preceded the Revolution. Madame d'Houdetot left no memoirs; M. Buffenoir might as well not have given us forty short poems which she wrote at various times for her friends—for Saint-Lambert, for Madame Geoffrin, Watelet, etc. In writing these utterly insignificant verses she merely followed the fashion of her time, generally addressing some person or celebrating some anniversary.

Madame d'Houdetot was born Sophie La Live de Bellegarde, on the 18th of December, 1730, in the Rue St. Honoré, not far from the Place Vendôme. She lost her mother at the age of ten, and was educated by the care of an aunt, Madame d'Esclavelles. She was called "Mimi" in the family. At the age of eighteen, after the fashion of the time, she was married to a young man whom she hardly knew, viz., Count d'Houdetot. Madame d'Épinay, who was married to M. La Live d'Épinay, the eldest son of M. de Bellegarde, gives a lively account of the marriage of her sister-in-law:

"Mimi is going to be married, for a positive fact. She marries a Count d'Houdetot, a young man of quality, but without fortune; aged twenty-two, a gambler, ugly as the devil, and little advanced in the service; in fact, unknown, and, to all appearance, made to be so."

In an appendix to his book, M. Buffenoir cites a few vivacious pages from Madame d'Épinay's memoirs on the rapid preliminaries of this marriage. He would have done better to incorporate them in his text. The introduction took place at the home of M. de Villemur, godfather of the future Madame d'Houdetot. After dinner, when coffee was served, M. de Villemur suddenly addressed M. d'Houdetot, the father: "Well, my friend, we are here in the bosom of the family; between friends like ourselves, there need be no mystery. Yes or no is sufficient. Is my son to your liking? Yes or no. Is he to your daughter's liking? Yes or no again." And the parents began at once to discuss the question of the dowry. The Marquis d'Houdetot gave his son 18,000 lires a year in farms in Normandy, and the *guidon* of gendarmerie which he had bought for him. Mademoiselle de Bellegarde received in dower her mother's diamonds. "I know nothing of business," said this parent. "I give all I can, especially my diamonds; they are fine. I don't know exactly how many I have, but as many as they are, I give them to her." During this interesting conversation the two young people were allowed to talk to each other in a corner of the room. When he was married, M. d'Houdetot had already a liaison with a married lady which lasted forty-eight years after his marriage. It is one of the characteristics of the time, this fidelity in the wrong place—we shall note it also in Madame d'Houdetot's life; her liaison with Saint-Lambert lasted fifty-two years. M. d'Houdetot, who accepted it without any difficulty, once said: "We had, both Madame d'Houdetot and myself, a call to be faithful; only there has been a misunderstanding."

In July, 1749, Madame d'Houdetot had a son (who lived till 1825, and had a numerous posterity); in 1753 she had a daughter. Her husband gave the greater part of his life to his duties as a soldier, and by degrees attained the rank of lieutenant-general. M. de Bellegarde died in 1751, and M. d'Houdetot, with the part of his succession which devolved on his wife, bought the Château de la Meilleraye, which, three years after, he resold for a million to the Duchess de Chaulnes. Madame d'Houdetot was left by her husband in this château; it was there that she made the acquaintance of Saint-Lambert and became attached to him. Her husband allowed her every liberty, and said to the Maréchale d'Aubeterre, who complained to him of his wife's commencing liaison, "I have nothing, madame, to exact from my wife but decency in her conduct."

The Marquis of Saint-Lambert, born in Lorraine, in 1717, had lived in the intimate circle of King Stanislas, had conquered the affections of Madame du Châtelet, and been the happy rival of Voltaire. Madame du Châtelet died in confinement, and, after her death, a medallion was found under her pillow, bearing the portrait of Saint-Lambert. "This adventure," said Voltaire to the Marquis du Châtelet, "does honor neither to you nor to me." Saint-Lambert grew famous. He left Lorraine and became a colonel in France. He was a poet as well as a soldier, and became acquainted with Diderot, Grimm, Jean Jacques Rousseau, Duclos, with all the philosophical company. Marmontel speaks highly of his charming manners, which were those of the little Court of Lunéville, of his exquisite taste and refinement. He saw Madame d'Houdetot, and became first her friend, and very soon her lover and faithful companion. She would never have gone down to posterity if it had not been for her acquaintance with Jean Jacques Rousseau. She would have been forgotten, as well as Saint-Lambert, though Saint-Lambert was a writer (but who now reads his poems?), if Rousseau had not, like a comet, crossed the quiet lives which they were leading.

Rousseau saw Madame d'Houdetot for the first time the very day before her marriage. "I found her," he says, "very amiable, but I was far from foreseeing that this young person would some day decide my life, and would draw me innocently into the abyss where I am now." Ten years elapse; Rousseau becomes famous; he lives in the Hermitage of Montmorency and composes the 'Nouvelle Héloïse.' His great passion begins in the spring of 1756, after a visit from Madame d'Houdetot, whose carriage had been upset in the neighborhood of the Hermitage. She left it, and came on foot, covered with mud. Thérèse, who was living with Rousseau, had to give her a change of clothing. A year afterwards, in the spring of 1757, Madame d'Houdetot made him a second unexpected visit; this time on horseback. The passion now declared itself. Rousseau has traced of his idol a portrait which is too long to be cited. She was living at the time alone; her husband was with the army, as was Saint-Lambert. Madame d'Houdetot was idle, Rousseau was writing the love-letters of the 'Nouvelle Héloïse.' His passion was, I might say, a literary passion; when we read now the burning pages which he addressed to his idol, they compare very well with the letters of the 'Nouvelle Héloïse,' but they give the reader the impression that Rousseau's passion was more imaginative than otherwise. He is too eloquent; he does not write for one person, he writes for an effect, for a public. He half deceived himself in order to be more sincere.

Many people, and I confess being one of the number, hold that love-letters ought never to be published; they interest only two persons, the writer and the person who receives the letter. I am truly surprised at the success which certain love-letters are just now having in England. Love-letters can be read only if some incident and collateral subjects are introduced in them. The success of the 'Nouvelle Héloïse' was chiefly due to the new theories of life, the new views of nature, which Rousseau mixed up with his subject. His relations with Madame d'Houdetot lasted hardly nine months. Their visits, their correspondence, their meetings, their long promenades became the theme of malicious comment among the friends of Madame d'Épinay and among the philosophers who were hostile to Rousseau. A letter was sent to Saint-Lambert, who reproached Madame d'Houdetot. Rousseau assures us that this informing was the work of Madame d'Houdetot; others believe that the letter was written by Thérèse, who was jealous of Rousseau. The charm was broken; Madame d'Houdetot told Rousseau that she must interrupt an intercourse which had become a matter of gossip. Rousseau left the Hermitage on the 15th of December, and his relations with Madame d'Houdetot became more and more distant. When the 'Confessions' appeared in 1781, she bought a copy and found in it her own portrait; she kept a manuscript of the 'Nouvelle Héloïse' which Rousseau had copied for her.

Saint-Lambert had been fortunately overlooked during the Revolution. He spent the last years of his life with his friend, and died in 1803. She survived him for ten years, and became attached during her old age to M. de Sommariva, ex-President of the Cisalpine Republic, who was born in Milan and lived in Paris. Their intimacy took almost the appearance of love, and was subject for comment. Lady Morgan said: "Time and circumstances have altered everything except the heart and the imagination of Madame d'Houdetot." M. de Sommariva had a large fortune and bought all the estates of M. de Bellegarde. He sent every morning to her a bouquet and a letter. He enjoyed her conversation, her amiable letters; he had for her, he said himself, the affection of a son for a mother, of a mother for her child. Madame d'Houdetot died in Paris on the 28th of January, 1813, aged eighty-three.

Correspondence.

PROTECTIONISM OVERRIDES THE CONSTITUTION.

To the Editor of The Nation:

Sir: The American people, as they con-

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template the spectacle of a court that *was* Supreme rent in twain by the simple and elementary question whether the President and the Congress are bound by the limitations of the Constitution, may profitably recur to a memorable utterance of the late Thomas F. Bayard. In his notable address on "Individual Freedom," delivered before the Edinburgh Philosophical Institution on November 7, 1895, Mr. Bayard said:

"In my own country, I have witnessed the insatiable growth of that form of State Socialism styled 'Protection,' which I believe has done more to foster class legislation and create inequality of fortune, to corrupt public life, to banish men of independent mind and character from the public councils, to lower the tone of national representation, blunt public conscience, create false standards in the popular mind, to familiarize it with reliance on State aid and guardianship in private affairs, divorce ethics from politics, and place politics upon the low level of a mercenary scramble, than any other single cause. Step by step, and largely owing to the confusion of civil strife, it has succeeded in obtaining control of the sovereign power of taxation, never hesitating at any alliance, or the resort to any combination, that promised to assist its purpose of perverting public taxation from its only true justification and function—of creating revenue for the support of the government of the whole people—into an engine for the selfish and private profit of allied beneficiaries and combinations called 'Trusts.' Under its dictation, individual enterprise and independence have been oppressed, and the energy of discovery and invention debilitated and discouraged.

"It has unhesitatingly allied itself with every policy which tends to commercial isolation, dangerously depletes the Treasury, and saps the popular conscience by schemes of corrupting favor and largesse to special classes, whose support is thereby attracted. Thus it has done so much to throw legislation into the political market, where jobbers and chafferers take the place of statesmen.

. . . . . .

"It is incorrect to speak of 'Protection' as a national policy, for that it can never be, because it can never be other than the fostering of special interests at the expense of the rest; and this overthrows the great principle of equality before the law, and that resultant sense of justice and equality in the administration of sovereign powers which is the true cause of domestic tranquillity and human contentment. The value of 'protective' taxation to its beneficiaries consists in its inequality, for without discrimination in favor of some one, there is no advantage to any one.

. . . . . .

"The enfeeblement of individual energies and the impairment of manly self-reliance are necessarily involved, and the belief in mysterious powers of the state and a reliance upon them to take the place of individual exertion foster the growth of State Socialism, and personal liberty ceases to be the great end of government."

Since these illuminating words fell from the lips of Mr. Bayard, additional barriers to "the insatiable growth of that form of State Socialism styled 'Protection'" have been removed. Prior to our recent wars for conquest, even special privilege made public profession of devotion to the doctrine of equality. It now feels itself strong enough to appear in its true character as the enemy of equality, the foe of constitutional liberty.

It has for some time been clear that the protected interests, while retaining their practical monopoly of the American market, desire fresh fields for exploitation and new means of offence and defence in the game of international competition for trade. This two-fold purpose has led to the national expenditure, in our recent wars of conquest, of much blood and some eight hundred millions of the people's money. The final obstacle to its success was the clause of the Constitution which provides that "All duties, imposts, and excises shall be uniform throughout the United States." Unless this provision for equality of taxation could be nullified the scheme must fail.

The Chicago *Record-Herald*, which cannot be accused of unfriendliness to the powers that be, in its comment on this feature of the decision of the Supreme Court in the Downes case, says:

"This is a condition which suggests that the constitution of the court had more to do with the decision than the Constitution of the United States. It lends more popular interest to an analysis of the politics and predilections of the justices than a scrutiny of their reasoning. From the day when it became evident that the question of 'our plain duty to abolish all customs tariffs between the United States and Porto Rico' was to be passed on by the Supreme Court, there has never been any doubt as to the attitude of Justices Shiras, White, and McKenna.

"Although a Democrat, Justice White was a representative of the sugar-cane interests in the Senate, and was appointed to the Supreme Bench by President Cleveland, to remove an obstruction in the way of tariff reform in the Fifty-third Congress. His views on the relations of the United States to its insular possessions were sweetened in advance by a strong tincture of sugar.

"Justice Shiras hails from Pittsburgh, the very smelting furnace of protection of home industries from free trade with any outlying island of the sea or foreign country. Free trade between the original thirteen States of the Union is about his idea of the constitutional limitations on uniformity of duties, imposts, and excises throughout the United States. . . .

"But Chief Justice Marshall died some sixty-odd years ago, and the opinion of Justice Brown, backed by the votes of Justices Gray, Shiras, White, and McKenna, is the law of the land to-day, though it tears the constitutional limitations into shreds, and, as Justice Harlan says, launches us on 'an era of legislative absolutism.'"

The Sherman Act of 1890, which brought us to the brink of the silver abyss, was passed in exchange for votes for the McKinley tariff of that year. This Mr. Thomas B. Reed frankly admitted in the *Forum* for November, 1896. He says: "We had been sacrificed to silver." "That form of State Socialism styled 'Protection,'" which, in 1890, exchanged the Sherman Act for votes to carry the McKinley Bill, has finally demanded and secured (to use the words of Benjamin Harrison) "a construction [of the Constitution] contrary to liberty"—one that establishes at Washington "legislative absolutism." EDWIN BURRITT SMITH.

CHICAGO, June 1, 1901.

THE DECISION OF THE SUPREME COURT.

TO THE EDITOR OF THE NATION:

SIR: America (in the person of her judges) has now tried the case between herself and Porto Rico, and solemnly decided in her own favor—or, rather, in favor of the Sugar and Tobacco Trusts. Porto Rico is to be exploited at will by the American commercial interests; if it be incidentally ruined in the process, that is nothing to us. By the ingenious juggling of the Supreme Court, the inhabitants of Porto Rico are now just enough under the Constitution for America to profit financially, to the extent that the Porto Ricans are fleeced, by virtue of their anomalous position. An equal division of the rights of citizenship has thus been made: America has the rights and Porto Rico has the citizenship. The Porto Ricans are to be governed as an inferior race; they and other "territories appurtenant" are to be arbitrarily taxed by the United States Congress, without having representatives in that body. With a sense of humor which does them credit, the justices of the Supreme Court add that the Porto Ricans are to be mercifully allowed freedom of speech (when not suppressed by military dictatorship) and freedom of religion.

Yours truly, BERTRAND SHADWELL.

CHICAGO, May 31, 1901.

Notes.

The Archæological Institute of America has obtained the necessary number of subscribers to the proposed work illustrating the excavations conducted by the expedition to Assos in 1881-3, which we have previously noticed. The first number will appear in the early fall. Subscriptions may be sent to Prof. Charles Eliot Norton, or to the Treasurer of the Committee of Publication, W. F. Harris, Harvard College, Cambridge. A prospectus, giving specimen illustrations, may be had on application to the Treasurer.

The Rowfant Club's plans for reprinting the *Dial* are now matured, and go to the verge in attempted imitation of form and type, observing even the errata, and reproducing the original cover wrappers. Issue will likewise be in parts or numbers. Mr. Geo. Willis Cooke will be editor, and will prepare a supplementary volume, with much information about the Transcendental Club, the periodical, Brook Farm, etc., etc. The edition is limited to 125 sets, for club members only.

'Nietzsche,' as critic, philosopher, poet, and prophet, illustrated in selections from his works and a critical study of the man, by Thomas Common, is about to be published by E. P. Dutton & Co.

Thomas Whittaker has nearly ready 'A Century of Progress in Religious Thought,' by Prof. Walter F. Adeney.

The Shakspere Press, Westfield, Union County, N. J., announces for September next 'Bacon and Shakspere: Can They Be Reconciled?' by Dr. Appleton Morgan and Dr. Isaac Hull Platt.

A newly founded Asociación de la Libreria at Madrid, of which D. Enrique Bailly-Baillière is President, and which is apparently modelled after the Cercle Français de la Librairie, will publish fortnightly a *Bibliografía Español*, much needed, at the subscription price for this country of $3. It may be had through Lemcke & Buechner, No. 812 Broadway, New York.

The Society of German Engineers in Berlin has undertaken the preparation of an International Technical Dictionary, in German, English, and French, under the title of 'Technolexicon.' Leading representatives of the technological sciences in Europe and in America have been invited to coöperate in the preparation of this work, which is to be edited by Dr. Hubert Jansen. The aim is to secure exhaustive completeness in technical words and expressions, exactness in translation, and a uniformity in usage in the various countries and languages.

The house of Dietrich Reimer, Berlin, has in preparation 'Der Weserstrom,' one of the remarkable series of monographs, each with

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its atlas, undertaken by the German Government for the physical illustration of the several watersheds of the Empire; the sixth volume of the series on German East Africa, containing cartographical and meteorological material, with a map in twenty-nine sheets; the third volume of Baron von Richthofen's great work on China, dealing with the southern part of the empire, together with the corresponding portion of the atlas; and volumes ii. and iii. of Dr. Karl Futterer's 'Durch Asien,' embodying the results of the Holderer expedition to Tibet in 1897-98.

An illustrated edition of Mr. William C. Brownell's standard work on 'French Art: Classic and Contemporary Painting and Sculpture' is to be brought out by Charles Scribner's Sons. There will be forty-eight reproductions of masterpieces.

The admirable and inexpensive series called "Library of English Classics," published by Macmillan, under Mr. A. W. Pollard's modest editorship, is extended by a new volume, made up of De Quincey's 'Confessions of an English Opium-Eater,' the two essays "On Murder Considered as One of the Fine Arts," "The Spanish Military Nun," and " The English Mail-Coach." For all these the first collected edition of De Quincey's works, carefully revised by him, has furnished the text. The typography is a pleasure to the eye.

The "Authentic Edition" of Charles Dickens's works, bearing Scribners' imprint in this country, and adorned with the old familiar illustrations, proceeds with 'Barnaby Rudge,' 'Our Mutual Friend,' and 'Great Expectations.'

Mr. Walter Crane's lectures 'Of the Decorative Illustration of Books, Old and New' (London: Bell; New York: Macmillan) owe their second edition no doubt mainly to the illustrations. Mr. Crane's own talent lies in this direction; but if he were a more skilful and entertaining writer than he is, he could hardly succeed in making readable a considerable portion of his work, consisting of description of designs not under the reader's eye. Naturally, this disadvantage is most felt in the earlier historic chapters. At the other end, in dealing with the legion of present-day illustrators, the author is constrained to make a running commentary of a very fragmentary nature. Still, for reference and for pictorial examples, the convenience of the book will keep it popular. We heartily agree with Mr. Crane as to the proper tyranny of the printed page—its squareness and proportion—over any decorative illustration introduced in it. Among the evil effects of Japanese art upon Western he justly reckons the crazy diagonals and other invasions of the rectangle and the margin which have deformed our magazines and books for so many years. Balance and symmetry are demanded by the art of Gutenberg. The praise of Morris and his Kelmscott Press is not equally justifiable in our opinion.

There is little special to be said of Miss Hurll's 'Titian' (Houghton, Mifflin & Co.), which is in the same vein as its predecessors in the useful little Riverside Art Series, but we are delighted to see that the silly prejudice against the nude as such, which caused the Board of Regents of this State to exclude the Venus of Melos from their list of photographs for schools, has not prevented the insertion of the "Medea and Venus," commonly called "Sacred and Profane Love." Surely, this pure and lovely work could do harm to no healthy child. A selection of fifteen pictures from the vast work of Titian could hardly be altogether satisfactory to any one. The present selection is good, on the whole, though we rather wonder at the omission of that most solemn of religious compositions, "The Entombment."

'Tales from Tokio,' by Clarence Ludlow Brownell (Warner & Brownell), is not a collection of short stories, as might be inferred from its title, but a series of sketches of Japanese life. It may be read with interest, though it contains little that is novel except the misprints, which are numerous and varied. Our own educationists, in their discussion of the elective system, will perhaps be edified by the incident of a class in the Imperial University which, after its third lesson in American history, addressed the professor thus: "Please, honorable master, we wish not to peruse the grand American history further; we would rejoice instead to read how balloons are made."

The late Richard Herne Shepherd's 'Bibliography of Coleridge,' originally published in *Notes and Queries*, in the summer of 1895, has been reprinted, with the aid of his notes intended for a separate publication, under the editorial revision of Col. W. F. Prideaux (London: Frank Hollings). The list is frankly neglectful of American editions of the poet, save for a reference to Prof. W. G. T. Shedd's (not "Stedd"), in 1853, which alone on either side of the water presents the complete prose works. This brochure may fairly be called entertaining reading in itself, and should find a place beside every life or library of Coleridge.

The labors of Bradshaw and Proctor have made it possible to study early printing upon a basis approaching accuracy through an identification of the size and style of type used. Unfortunately, Proctor's important list of 'Early Printed Books in the British Museum' was issued in a limited edition, contained no reproductions of titles, types, or specimen pages, and was thus wanting in an important particular. Some efforts to prepare such specimens had been made on the continent of Europe, but the results, satisfactory from many points of view, were disappointing in not supplying a standard of measure for types, by reproducing the exact size of letter used. The Boston Public Library has received by gift three boxes of the "Woolley Photographs" of early types, designed to supplement published examples. There are 300 reproductions, numbered to correspond to Proctor's "Index," and the success attained is notable, even the watermark in the paper appearing in the photograph. No descriptive text accompanies the boxes, and a reference to Proctor's list, supplemented by a second one to Mlle. Pellechet's 'Catalogue Général,' is looked upon as sufficient. It is to be hoped, however, that, as the work progresses, a more detailed list and certain measurements will be given, for so important an undertaking should not have its utility lessened through too much economy. The edition is very small.

The University Library at Heidelberg has recently acquired twenty-seven sheets of a valuable uncial Septuagint manuscript, dating from the sixth and seventh centuries. This papyrus is the largest Septuagint fragment of the kind in Germany. Both sides of the sheets are covered with a fine writing, containing the Alexandrian version of Zechariah, chapters 4 to 14, and Malachi 1 to 4. A preliminary examination makes it probable that this document belongs to the group represented by the prophet-palimpsest of Grotta Ferrata.

To do justice to the extremely careful and interesting 'Études Anglaises' of M. André Chevrillon (Paris: Hachette) would require an article almost as long as one of the essays themselves. Their writer has seen deeper into English habits of thought and feeling than is generally the case, even with Frenchmen of exceptional opportunities and penetration; he has the further advantage of a more than merely working knowledge of English, as his study of 'Nature in Shelley's Poetry' can testify. Barely mentioning the fact that an essay entitled 'La Vie Américaine' shows M. Chevrillon to be generally sympathetic towards our ideals, particularly in the matters of higher education and culture, we would call particular attention to the elaborate analysis and interpretation of Kipling's work as an artist (much the most thorough known to us from any foreign pen), but most of all to the *pièce de résistance* entitled, "L'Opinion Anglaise et la Guerre du Transvaal," which, written in England in 1900, sets forth with cold irony its author's comprehension of the complete change of English public sentiment through the corrupting spirit of Imperialism. M. Chevrillon's style is vivacious.

To those interested in the subject of colonies, the 'Deutsches Kolonial-Handbuch' (vol. i., Berlin, 1901) affords a good view of the present state of the German protectorates in Africa. It is intended, of course, to subserve practical purposes of merchants or prospective emigrants, and goes into considerable detail in its description of climate, physical geography, cost of living, freight-carrying, etc. Complete lists are given of articles subject to duty at the colonial frontiers, and the practical working of the Government and judiciary is explained. With characteristic German thoroughness, much information is imparted on the subject of the natives, their temperament and general ethnological characteristics. Catalogues of the products of native agriculture and industry, and of the articles most acceptable to the native purchaser, are of interest to importers. Statistics of trade and communication are brought up to the year 1901. No startling commercial advantages seem to have been secured by the fact of possession. The most recent colonial budgets exhibit a steadily and rapidly increasing imperial subvention, even in Togo, which until 1899 was self-supporting; but it would be hard for any nation to make much out of the unpromising German possessions. An index of names of colonial officials, missionaries, etc., closes a very useful volume, in which fulness of practical detail in no way detracts from a comprehensive view. The data presented are drawn almost exclusively from official sources, but the compilation seems to have been made in a perfectly impartial spirit. The book is the work of Dr. Rudolf Fitzner.

House and Garden is the title of a new monthly magazine just issued in Philadelphia, under the editorship of Messrs. Frank Miles Day, Wilson Eyre, jr., and Herbert C. Wise. The name suggests the point of view and the excuse for being: The controlling editorial spirit is architectural, but the particular gospel to be propagated is the

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duty of fitting the house with its proper landscape-gardening environment. No better example could have been chosen than the country house called Stratford Lodge near Bryn Mawr, of which the description occupies one of the three divisions of the initial number of this periodical. Beautiful and free in itself as a design, the house is linked with an upper and a lower garden in the Italian manner, with a charm instantly felt on a mere examination of the views here provided. The Fairmount waterworks, and some old English houses in Kent and Sussex, furnish the remaining themes, and are illustrated, like the Lodge, with admirable photographs. The début of *House and Garden* is undeniably attractive, and the conductors may be relied upon to preach sound architectural doctrine. Time will show whether the cultivated public is large enough to respond with substantial support to an undertaking novel, yet not without kindred forerunners which have failed of proper appreciation.

The *British Weekly*, a leading London religious paper, publishes an interview with Bishop Hartzell which casts a remarkable light upon the intelligence of this distinguished representative of the American Methodist Episcopal Church. Dr. Hartzell eulogizes the interest taken by Mr. Cecil Rhodes in the promotion of religion in South Africa, and reports without the slightest suggestion of incredulity a statement made to him by Mr. Rhodes himself that one of his two chief ambitions is "to do the best I can for the welfare of the negro races" in that part of the world. Yet this is the same Mr. Rhodes who so bitterly complained, after the Khama incident, that "they think more of one native at home than of the whole of South Africa"; who supported in the Cape Parliament a bill which would have permitted farmers to flog their native servants; and whose Chartered Company was condemned, in an official Colonial Office report, for maintaining in Rhodesia a system of forced labor amounting practically to slavery. Bishop Hartzell tells his interviewer that he cannot understand those good brethren who so often pray, "Lord, save South Africa from the capitalists." His difficulty in understanding their position is perhaps not lessened by the fact, which comes out in the same interview, that the British South African Company has contributed towards his work a grant of 13,000 acres and buildings worth $100,000.

An encouraging indication of the intellectual progress of the South is the recent passing by the General Assembly of North Carolina of "An Act to encourage the establishment of libraries in the public schools of the rural districts." It provides —in the manner of Northern acts, *e. g.*, New Jersey's—that when any country school district shall have raised ten dollars for the establishment of a library, the County and State Boards of Education shall each contribute ten dollars for the purchase of books. These are to be loaned, free of charge, to school-children, parents, and donors, and permission is given to the districts to exchange their libraries not oftener than once in six months. In the "Rules and Regulations" issued by the Superintendent of Public Instruction, particular directions are given as to the book-case required, and the librarian is instructed in his annual report to make "mention by name of the three children of school age who have shown the greatest interest in and improvement in literature."

—The sex of the new volume of the 'American Catalogue,' for 1895-1900 (New York: *Publishers' Weekly*) would of itself be undiscoverable. That it is, so far as the preparation goes, almost exclusively feminine, is disclosed by Mr. R. R. Bowker, who names Miss Frances B. Hawley, his assistant editor, and eight other ladies (including Mrs. Augusta H. Leypoldt), as having had the burden of this closing list of books recorded (including reprints and importations) from July 1, 1895, to January 1, 1900. For the first time Mr. Bowker himself has been unable to read the page proofs in detail; on the side of subscription books Mr. A. C. Potter of Harvard University Library "has been of great assistance." These are the only men, except the printers, in sight. The present (fifth) volume completes the grand series begun with the catalogue of books in print in 1876, and, for bibliographical convenience, closes the century with 1899—embracing under that year works actually then issued, though stamped 1900. The pious wish of the Catalogue's projectors to work backward with a volume to record the American issues of 1800-1876 has not been lost sight of, but pecuniary support for the enterprise is as yet lacking. It might commend itself not inappropriately to Mr. Carnegie, as well as the desideratum of a combination of the whole series in one alphabet. Either of these objects would perhaps appear equivalent in value to the founding of a new library building *in partibus infidelium*. Hereafter, and in a way it is a pity, the dignified but unhandy quarto form of the 'American Catalogue' is to yield to the duodecimo of the 'Annual Catalogue,' whose matter, set by the linotype machine, will be kept standing during the lustrum, and then realphabetized into the two main divisions of author and title entry. This is an economy of labor and expense to which we must in reason assent; but we shall miss what now delights the eye.

—The American Baptist Publication Society, Philadelphia, publishes 'A Century of Baptist Achievement,' edited by Dr. A. H. Newman, and made up of thirty chapters contributed by as many writers apparently well qualified for their different parts. There is first a survey of Baptist history before 1801, then a survey of English, Scotch, and American conditions at the beginning of the nineteenth century. No important aspect of the century's growth and change seems to have been omitted, with the important exception of the anti-slavery agitation as affecting denominational interests. But for a few casual remarks, no one would guess from these pages the existence of the century's principal moral conflict. The looser organization of the Baptists made it easier for them to shirk responsibility, but their discouragement of anti-slavery speech and action was quite as effective as that of the more centralized denominations. Moreover, there are considerable deductions to be made from the claim of "absolute religious liberty." The autonomy of individual Baptist churches has not stood in the way of an active sensibility to heresy which has extruded the heretic with sufficient violence. The "Sketch of the Colored Baptists of the United States" is apparently an exception to the rule that the various sketches should be made from the inside, but it is done with much caution and discrimination. "Movements of Baptist Theological Thought during the Nineteenth Century" is not by any means a case of *lucus a non lucendo*. It means a great deal to say that whereas, formerly, "a crass verbal theory of inspiration" prevailed, now the authority of the Scriptures rests on men's consciousness of their fitness to be the words of God. It is less certain that the dissipation of the historical Jesus into an æonian Christ is a real gain. The statistics of denominational growth are such as may well flatter denominational pride.

—The manner of publishing the historical manuscripts in the possession of the State of New York is open to criticism. There is a "State Historian," appointed by the Governor, and at present Mr. Hugh Hastings is in office. Under his charge have been issued three volumes of the Public Papers of George Clinton, and a fourth volume is almost ready for distribution. Such a collection of papers appeals to the student of history, and all that is required is an accurate transcript of the original, with such notes, indexes, and cross-references as may assist him to obtain a general knowledge of their contents. Editorial comment or criticism is out of place, and the methods of "journalism" are as unsuited to the dignity of the subject as they are ruffling to the reader. Unfortunately, Mr. Hastings shows neither a natural nor a trained aptitude for his work, and is flippant and ignorant. The volumes are showy in general make-up, and the text may be correct, for we have no means of testing the reproduction. The language of the editor might easily be improved, and the change would be welcome. Why should the "young State" have just begun to "keep house"? This easy tone is, however, not equal to the "head-lines" which grace the documents themselves. "Clinton looking after his Frontier," "Clinton spurs up Livingston," "Clinton displays good judgment," "Schuyler can be depended upon," "A Difference over Horses," "Everything serene at West Point," "The Situation by no means rosy," are some of the captions to letters taken at random from vol. iii. Other letters are described as caustic, gossipy, eloquent, alarming, and as "displaying humility." A colonel "hobnobs" with Tories, the Continental currency "deteriorates," and Albany is "sure enough alarmed." These choice bits are enough to show that the exuberance of the editor should be checked, for if allowed free play it may make the office and its work ridiculous.

—The Asiatic Society of Japan held two meetings last year, and volume xxviii. of its transactions is a thin pamphlet of but 58 pages of literary matter. Mr. W. G. Aston furnishes a Korean folk-tale, the first ever read before the Society. Though set in the peninsular kingdom, and possessing some local color of Korean manners and customs, the *märchen* borrows almost all its supernatural machinery from the vulgar Chinese mythology known as Taoism. The dragon king, the jade emperor, the usual remarkable eggs and pigs, the thunder-god, the moon-palace, the yellow dragon and the serpent are all here; and the scholar, who is the hero of the story, is last seen playing goban under a fir tree in the mountain with some priests, by the Korean Rip Van Winkle. There is also a collection of six Japan-

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ese *märchen* from that famous collection known in Japan as the 'Uji Shui Monogatari,' written over eight centuries ago, and here well reproduced. Mr. R. J. Kirby translates from Dazai, the well-known Japanese author of the seventeenth century, a paper on Japanese music, which is not technical, but rather descriptive and psychological. It gives a Japanese scholar's opinion as to the general cultural value of the various sorts of music, with historical notes on the origin of the different styles in vogue in Japan. It is interesting to see what particular instrument was enjoyed by the noted heroes whose names are becoming familiar even in the West. Thus, Nitta played the flute and Kusunoki the biwa, and both were far from being mean players. In ancient times "any person making an immoral song was punished by death." As with the case of our own songs and tunes, many compositions which, when first written, were select and even classic, have become very popular, not to say vulgar, and in their rendition take on the form and color best suited to the audience at hand; they may be refining or obscene. This paper goes admirably with previous articles in the Transactions dealing with the more technical side of Japanese music. The Society has met with a loss —rather, bereavement—by the transfer of Sir Ernest Satow from Tokio to Peking.

DOWDEN'S ANGLICAN AND PURITAN.

Puritan and Anglican: Studies in Literature. By Edward Dowden. Henry Holt & Co. 1901.

In a letter to the present reviewer, which he makes free to cite, Mr. Leslie Stephen once remarked certain striking similarities between the intellectual movements of the seventeenth century in England and those of our own times. Writing of the various issues which derived from the fusion of polity and theology, and from the impact of rationalism upon mysticism, he continued: "In my youth I saw a very similar phenomenon. F. D. Maurice was the analogue of the Platonists —Darwin stood for Hobbes; and young men of my time tried to escape by the help of Maurice from the scientific rationalism which would tend to Colenso in criticism, and perhaps to materialism in science." This sentence, which is reproduced here with due apology to Mr. Stephen, suggests that chief charm of the seventeenth century which has made it so powerfully attractive to many. It was the typical transition period and seedtime of ideas; and in the early germifications there were many dim foreshadowings of final forms. We can compare, not too fancifully, not only Hobbes with Darwin, but More with Coleridge, Vaughan with Wordsworth, Herbert with Keble, Crashaw with Shelley, Cleveland with Byron, Tillotson with Martineau, and so on to weariness. Despite its curious learning, its quaintnesses and crudities, notwithstanding its atrabilious superstition, rebellion, and schism, there runs throughout that century a strange and subtle modernity.

All this impresses one continually in reading Professor Dowden's 'Puritan and Anglican.' Hence it is, that while the book is not likely to bulk very large in the estimation of that "numerous monstrosity" the novel-reading public, to the true lover of English seventeenth-century literature it is an event. The volume is not of the sort which one worthy of that century styled "impertinencies in folio." It makes no pretence to being a systematic history of anything; there is not even any real effort for chronological sequence in the ordonnance of the chapters. Professor Dowden, as he states in his preface, has aimed simply to please himself by bringing together studies of certain writers with whom he has dwelt long and intimately. But the result has been a notable series of appreciations bound together by a vital unity of subject and interest.

He has desired to be, for the most part, the interpreter rather than the judge of his men. There are many just estimates in passing and a few summary judicial opinions, but the total impression we receive from the method of treatment is that of depersonalization and adroit self-effacement. The principal means to this end has been the careful use of characteristic words and phrases from the pages of his authors, by which Professor Dowden has imparted to his own page a pervasive touch of their quality. It should be added, however, that while the style is, in a sense, learned, it never savors of the ink-horn so strongly as do certain passages in the work of our recent historian of criticism. Nor are there many traces in it of the floribund imagination which induced that "humorous kind of jester," Mark Twain, to liken the procession of plumed paragraphs in the 'Life of Shelley' to a literary cakewalk.

In so far as the present volume deals with a single subject, the subject is Puritanism, as it is expressed fully and directly in Milton, Baxter, and Bunyan, or as it partially and indirectly affects the work of Browne, Herbert, Vaughan, Taylor, and Butler. As has so often been the case with English criticism, from Johnson to Matthew Arnold, Professor Dowden is here preoccupied with that branch of literature which lies nearest divinity. He gives less attention than is usual with him to such purely artistic matters as form and structure; and for the purely artistic virtues of Cavalier lyrists and satirists he has no space at all. But it is by reason of this limitation of the field, one thinks, that we have such a wholly admirable introductory chapter upon "Puritanism and English Literature." It sometimes seems that America has been better able than England to recognize and value the ideal theory and poetic passion which lay at the root of the Puritan character. Whether this is due to the greater simplicity and persistence of the Puritan tradition in this country, or to the half-wilful misunderstandings of such critics as Johnson, Macaulay, and Arnold, does not concern us here. But, in view of the fact, it is pleasant to note the publication within the year of two studies of the essentials of Puritanism, the work of a writer of repute, from either side of the sea, yet strikingly harmonious in their conclusions. We refer to Dr. Eggleston's 'Transit of Civilization' and the work now under review—two volumes which may be read together very profitably.

Though in no sense partisan, Professor Dowden's general discussion of Puritanism is unusually sympathetic. He lays rather unwonted emphasis on the delicacy, refinement, and humanity of the true Puritan gentleman, and adduces instances of the warmth of his domestic affections. He is at some pains to show clearly how the dangerous Puritanic tendency to abstract from objective reality was balanced and counteracted by a very lively interest in the civil polity of this sublunary sphere, and how all this was friendly to the rise of science which made the last quarter of the century memorable. Finally, he has outlined with convincing precision the part played by Puritan doctrine and character in the larger development of English literature. To put it in a sentence: Puritanism has made for the highest poetic idealism. As he pregnantly remarks: "For the maintenance of high passion the habit of moral restraint is in the long run more favorable than the habit of moral relaxation."

The first of the biographical studies is an essay on Sir Thomas Browne worthy to stand beside Walter Pater's intimate appreciation of that old-time humanist. Him our author conceives to have been in some sense the Hawthorne of English Puritanism; one in whose imagination the intense spiritual truths of Puritanism took vital and coherent form. In the following sentences we have but to substitute Salem for Norwich, and the criticism becomes convertible: "To explode a vulgar delusion was only to open an avenue for some finer apparition of the Marvellous. His imaginative faith discovered under every roof of Norwich and in his own soul mysteries more moving than the legends of the basilisk, the phœnix, and the mandrake." This is an exact characterization of certain definite aspects of Browne's supernaturalism. In his more general meditations upon mortality and the "dormitories of the dead" he comes to a kind of quasi-scientific or cosmic sentiment of mystery which reminds one more of De Quincey or Richter than of Hawthorne. So it is with Vaughan, when he feels "silence and stealth of days" flowing through him; and so it is with Milton and Culverwell and many more, when they turn the Cartesian notion of light inherent in the atoms of the cosmos into that highly poetical conception of primeval light. This is generally stated by Dowden in an excellent paragraph which will bear quotation:

"Even in the nineteenth century, the mystic and the man of science may be united; matter may disappear in force or in motion, and the scientific intellect may lose itself in the darkness or in the light of the unknown cause of motion. In Browne's day, with cruder conceptions of science, and a mysticism more emotional and imaginative, the combination had a shimmer of color and of fantastic strangeness that has passed away."

But when all is said, one feels that Browne's was a character which would not be exhausted by a score of appreciations. It is a peculiarity of the true humanistic temperament that it eludes analysis surprisingly. Perhaps the worthy Doctor said the last word about himself when he affirmed that he was "of a constitution so general that it consorts and sympathizeth with all things."

We have expatiated too much on Browne to take extended account now of the essays on the other worthies mentioned above. The account of Baxter, and the extraordinarily sympathetic criticism of Milton's pamphlets on divorce, are particularly interesting and satisfactory. But in passing we are moved to enter a protest against what seems the excessive depreciation of Crashaw's poetry. In distinguishing Crashaw's work from Vaughan's as the "mysticism of flame" from "the mysticism of light," Professor Dowden has hit upon a very suggestive formula. But later he says in final summary: "Where

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Herbert could be content with a field daisy for an offering, Crashaw must fasten with wire to his Magdalen or his virgin a brilliant basketful of roses in colored muslin." Here the quest of the image has surely led him astray from the path of just criticism. No one will deny that Crashaw loved conceits unwisely, or that his peculiarly sensuous mysticism, not saved by humor, is sometimes a little mawkish. Once in a while, indeed, he is delivered of a line that would have delighted the heart of Martinus Scriblerus, who wrought the great work 'Περὶ Βαθους, On the Art of Sinking in Poetry.' But when all possible detraction is made, the fact remains that Crashaw had the vision and the voice of a great lyric poet. To conclude an appreciation of him with the above image, and with talk about "every paltry bead and spangle of cheap religious merchandise," and to say, "his converted muse still loves the earrings, the crisping pins, and the pots of rouge," is to convey a wrong impression to the confiding reader.

But such traces of the earlier manner of the biographer of Shelley and the sonneteer of Mona Lisa are far from frequent. The work as a whole is as full of ripe judgment as it is of sound learning; and it is pervaded withal by a vivid personal enthusiasm which makes it delightful reading.

WILLOUGHBY'S SOCIAL JUSTICE.

Social Justice. By Westel Woodbury Willoughby. Macmillan Co. 1900.

We may regard this work from two points of view. As a contribution to the history of social and political philosophy it has decided merit. The leading ethical theories are examined critically, and the examination is rendered much more satisfactory by the presentation of these theories in the words of their authors. The criticism, although not original nor, in our judgment, altogether thorough, is dispassionate and judicious. The author evidently means to state the theories to which he is opposed with fairness, and to present those which he favors with moderation. He informs us that he was moved to produce this book by the desire to relieve the increasing and alarming discontent with the present institutions of government. He quotes with approbation, as expressing his own views, the following extract from Professor Foxwell's introduction to Menger's "Recht auf vollen Arbeitsertrag":

"The whole aim and object of economic policy and legislation, the trend of all movements for social reform, revolutionary or progressive, must depend upon the prevailing sense of ideal right, upon the notions of justness and fairness, more or less coherent, which recommend themselves to the governing body of opinion at any time as axiomatic and unquestionable. . . . It is hardly too much to say that in the gradual development of these ideals of right, and the relation between their development and the development of positive institutions, we have the key to social stability. That form of society is most surely rooted in which these movements are fairly concurrent, in whose legal structure and economic relations the prevailing notions of equity or axioms of justice are most faithfully mirrored; and where they are carried out in similar degree in all the various sides of social life."

These movements, our author holds, are not now fairly concurrent. There are many discrepancies between the ethical ideals now prevailing and the present social and economic conditions. There is a startling contrast between the political and the economic development of modern societies. Ultimate political power has been diffused at the same time that tradition and dogmatic religion have lost their former controlling force. Individual reason has been recognized as the true judge of right and wrong; the principle of freedom has supplanted that of authority. The equality of men is accepted political doctrine; their social condition exhibits the extreme of inequality. The social reformer may well undertake the task of warning "those who might be tempted to ill-advised innovations, and of pointing out the directions along which the economic and ethical education of the people must proceed."

We cannot regard this task as successfully performed by the present writer. For, looking at his book from a second point of view, it is a mere restatement of the theory of the divine right of rulers. To suppose that popular discontent can be appeased by the maxims of authority, is to repeat a time-worn mistake. To believe that the feeling of injustice can be removed by teaching that the powers that be are wiser and better than their miserable subjects, is as idle as to expect to remove skepticism by compelling children to learn the Westminster catechism. We gain nothing by blinking the facts that great masses of the common people are, to say the least, not religious, while many educated men are agnostics. To say to them that they cannot do right unless they test their actions by principles of morality "flowing from the essential character of the Divine Reason," or unless they strive to attain to a "likeness unto the true God," is vain babbling. Not only highly educated men, but very moderately educated men, will simply not listen to teachers who assume to voice the commands of the Almighty. Whether they believe in the existence of a God or not, they do not propose to submit the righteousness of their acts to any tests which any of their fellows declare to be valid because they emanate from Deity. So far as they have a creed, their conception of the true God requires that he should be impartial in his revelation of himself, and they know not where to seek him except in their own consciences. If they find there principles of morality which others describe as flowing from the essential character of the Divine Reason, well and good; but the conscience of the individual is the supreme tribunal. Galileo submitted to the authority of the Church; but the spectacle of Huxley admonished by an English bishop to attain a likeness to the true God would move the modern world to laughter.

Our author appears to suppose that he maintains the modern principle of freedom, as contrasted with the mediæval principle of authority. Some of his statements, it is true, support this claim. He admits that the State is not a moral entity; that it has no conscience. Morality applies only to human individuals. The State can neither determine the morality of an act nor limit the moral freedom of the individual. It is unrelated to any superior being, and has no concrete existence apart from the individual beings of whom it is composed. Nothing could be more satisfactory than this; but the book is full of statements that are inconsistent with it. If the State has no moral responsibility, it can have no rights; but the author explains the right of the State to be, and discusses the morality of its commands, and the character and motives of its acts. In fact, it is impossible to adopt the paternal theory of government without somewhere slipping in the assumption of the superior wisdom of those in authority. This assumption is disclosed in the statement of the author's view of toleration.

"If we are firmly convinced, for example, that the failure to accept a certain doctrine will doom the recusant to an eternity of awful torment, and if we are equally sure that coercion will be able to secure the saving acceptance, and without causing an amount of suffering anywhere near as great as that from which the coerced one is to be rescued, can we hesitate to declare that such coercion should be applied?"

Torquemada himself could not have bettered this, and, indeed, it is almost a reproduction of the arguments by which Philip II. justified his dealings in the Low Countries. To be sure, we are cautioned that before engaging in persecution we must be convinced that we are right, and must carefully have considered the effects of our action. But no zealot has any difficulty in complying with these conditions.

We may remark that in this passage, by introducing the concept of suffering, the author lapses into the utilitarianism which he has most laboriously and, in general, successfully criticised. But the significance of the passage lies in the assumption that when A is "firmly convinced" that B ought to do something, it is right to compel him to do it. There is no distinction here between private and public morality. All the talk about the "realization of the highest ethical self" only befogs the true issue, which is, Who is to decide what B ought to do? Of course, A holds that he is wiser and better than B, and it is easy to construct a theory of justice which is quite satisfactory to A's conscience. But it may be altogether unsatisfactory to B, who is firmly convinced that he is quite as wise as A. Under these circumstances the theory of justice here expounded is reduced to that of the trial by wager of battle, which our ancestors considered to be authorized by the example of David's duel with Goliath.

It is easy to see what the common people, and especially what "inferior" races, have to expect when this theory is applied, and we need not be surprised that this author assures us that it lies within the legitimate province of an enlightened nation to compel the less civilized races to enter into a better life. Of course, he says that this is true only if compulsion be the only or the best means available; but equally, of course, the enlightened nation is to be the judge of this. The present moment is not opportune for the reassertion of this doctrine. In view of the hideous cruelties which the Christian forces have so lately inflicted on the miserable Chinese—atrocities encouraged by the German Emperor, and defended by the German Government when the letters describing them were read in Parliament—it will seem to many that there must be something wrong with a theory under which such proceedings are justified. Nevertheless, this author explicitly approves the doctrine that the civilized states may justly attack "insufficiently organized populations" at their discretion; and that it is the "great world duty" of the Teutonic states to engage in this benevolent work. We are sorry to say that we cannot now characterize such doctrines as infamous; but we do not hesitate to declare that if civilization is to be extended, they will hereafter be so characterized. Even

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at the present day they are very far from being calculated to allay the discontent of the millions and hundreds of millions of the common people who are groaning under the burdens which their rulers, with every profession of benevolence, are heaping upon them. If an increase of these outrageous exactions is all that is offered under the name of "social justice," the forces of revolution will continue to wax portentous.

The Hall of Fame. By Henry Mitchell MacCracken. G. P. Putnam's Sons. 1901.

For many reasons, a statement of facts concerning the "Hall of Fame" is appropriate. Such an institution is *sui generis*; Westminster Abbey stands in a very different class. This book supplies some of the information needed. It is "the official book authorized by the New York University Senate as a statement of the origin and constitution of the Hall of Fame, and of its history up to the close of the year 1900." Posterity will learn, not without amazement, that its inception was "due in considerable part to hard facts of physical geography." The University desired to arrange its buildings around a quadrangle, but the west side of the quadrangle fell on a very steep slope. To present an ornamental effect,

"a broad terrace was suggested, to be supported upon granite walls, and crowned by a colonnade. . . . The argument for this structure upon the ground of beauty was very strong, yet was hardly sufficient by itself to justify a university of comparatively small resources in possessing so costly an ornament. . . . It was felt by the Chancellor that an educational use must also be found for such an edifice. To fulfil this condition, there came to him the idea of 'The Hall of Fame for Great Americans.'"

It remained only for a generous friend of the University to furnish the money, and the idea became a reality.

We must confess that this account reminds us of Artemus Ward's explanation of Gen. Lee's participation in the Rebellion: He had a large stock of military clothes on hand, which he could not afford to waste. Had the western slope of the grounds of the University of the City of New York not been so steep, the idea of a Hall of Fame might never have occurred to the Chancellor. But we do not refer to this circumstance in any spirit of disparagement. The enterprise was regarded by the public as interesting, and every one invited to participate in it showed the greatest good humor, and accepted whatever part was assigned him in a very accommodating way. The most valuable discoveries have been made by accident, and no one thinks less of them on that account. We have seen within a few years several universities constructed, all complete, at the fiat of rich men; and if any one may say: "Go to! I will make a University," we do not know why he should not say the like of a Hall of Fame.

So much would be true were this Hall a peculiar possession of the New York University. The selection of names would then be as much the province of the rulers of that institution as the selection of books for its library. The principles of classification, the qualifications of electors, the appointment of judges, would be matters which outsiders could not criticise with propriety. But as it has been decided to appeal "to the general judgment of the nation," we are justified in commenting on the methods that have been pursued with the same freedom as in the case of any public measure. When we examine the constitution of the enterprise we find that the ultimate seat of power is in the Senate of the University of New York. The reason assigned for this is that it is "according to the contract" with the giver of the funds, a contract which the Senate has no power to modify. The Senate is a body of nineteen members. The Chancellor of the University is its chairman, and its other members are the deans and senior professors of the six University schools, together with representatives of the six great theological schools in or near New York, the method of selecting whom is not disclosed. This Senate is supposed to have selected one hundred electors, or judges, who pass upon nominations. The Senate, however, may increase the number of electors at its pleasure, and may change the constitution without notice to any one. Thus, the constitution provided that a name might be inscribed when approved by a majority of the electors voting; but the Senate decided that it would require a majority of the whole college. Moreover, a majority of the Senate may veto any nomination made by the electors; nor is any name submitted to the electors without the approval of some member of the Senate. The whole body of American citizens may nominate candidates, but their voices may or may not receive attention. In the selection of 1900 the Senate decided to allow the electors to consider the one hundred names that had the largest popular support; but it added one hundred names to the list of its own motion, and directed the electors to report additional names if they were so disposed. When we consider that the Senate appoints the electors and may increase their number, it is evident that its power is practically absolute. The popular suffrage and the electoral college may be "dignified" features, as Bagehot would say, but they could be abolished without affecting the working of the constitution.

When we consider the manner in which the nineteen gentlemen who are to select our national heroes for us have discharged this function, we are inclined to question their competency. In the first place, their choice of electors is, to say the least, unscientific. The Chief Justice of Utah or of Montana may be a good lawyer, but his qualifications as a judge of what constitutes fame are not of national notoriety. Nevertheless, twenty-three such functionaries are in the electoral college. College presidents and professors may be presumptively qualified, but it is doubtful if they represent popular sentiment. Professors of history should tell us the names of those who have done most for our country, but they would frequently be names unknown to the public. "Publicists, editors, and authors" could probably say what names are best known to the people, but they are so numerous a class as to make the task of selection from their number itself not only difficult, but also invidious. Upon the whole, when we read that a school-girl sent in a list of fifty names, twenty-seven of which were among the twenty-nine finally selected, we incline to think that the result might be as satisfactory if this intelligent young person were put in complete charge of the entire business.

Still less scientific is the system of classification adopted by the Senate. The accident of foreign birth excludes men like Alexander Hamilton, who are Americans of world-wide fame. There is a book entitled 'The Hundred Boston Orators,' but no orators are recognized in "The Hall of Fame for Great Americans." Wendell Phillips had some reputation for oratory, but those who desired to nominate him for this Pantheon had to call him an "author or editor." William Lloyd Garrison was distinguished preëminently as a philanthropist and reformer, but he seems not to have been thought of in that capacity. His fame as an editor caused him to be classed among "authors and editors," which brought him into competition with authors. Horace Greeley had to undergo the same ordeal, and in consequence he, like Phillips and Garrison, is excluded. To class editors and authors together, however, is no more absurd than the combination of "missionaries and explorers," and not much less so than that of "preachers and theologians," or "musicians, painters, and sculptors." Daniel Boone, Sam Houston, and John C. Frémont might well be surprised at finding themselves in rivalry with Adoniram Judson. No musician lays claim to eminence, no sculptor is selected, and only one painter. The list includes no business man, no missionary, no explorer, no engineer, no architect, no physician, no surgeon. Audubon and Asa Gray are the only names chosen for eminence in the scientific world.

In placing the tablets, "corners" were assigned to authors, teachers, inventors, statesmen, jurists, and soldiers, and then the Senate's capacity for discrimination was exhausted. Not willing to fall back on the legal *et al.*, it lumped the heroes who had no corners in a seventh class, under the title "Septimi." This is rather worse than Virgil's *Fortemque Gyan, fortemque Cloanthum*, and shows a poverty of imagination which, to say the least, detracts from the dignity of the undertaking.

The Siege of Kumassi. By Lady Hodgson. Longmans, Green & Co. 1901. Pp. 366, 8vo. Illustrations, map, and plan.

Lady Hodgson's narrative of her remarkable experiences in West Africa includes more than the title of her book would imply. She tells the story not only of the two months' siege of Kumassi, but also of the perilous flight through the forest, and closes with some bright chapters descriptive of life on the Gold Coast. Although she makes no pretence of writing more than a simple account of what she saw and endured, and does not enter into the large questions involved in the Ashanti uprising, incidentally she throws much light upon the condition of the people and gives many graphic word-pictures of significant men and scenes. The strong impression left by her book is of the advance especially in the intelligence of the negro. When the Governor's party entered Kumassi, a place from which the traces of the human sacrifices which had made it the foulest spot on earth had not yet disappeared, one of the features of the welcome was the singing by the school-children of "God Save the Queen!" The disloyal chiefs chose last summer for their desperate attempt to shake off the British yoke under which slavery and fetish sacrifices were prohibited, because, so it was argued in their council, the South African war would prevent the

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British soldiers from coming to the relief of the beleaguered garrison. And Sir James Willcocks, the commander of the rescuing column, says of the skilfully constructed rebel stockades and shelter pits that they "were probably made from newspaper descriptions of the Boer trenches read by the Fanti scholars in the English newspapers."

Not less symptomatic and hopeful as an indication of progress were the courage and loyalty displayed by the black soldiers, to which this writer gives frequent and emphatic testimony. Their unwavering obedience and constant cheerfulness during months of terrible privations, and amid incessant attacks by a foe vastly outnumbering them and famed for his valor and cruelty, reveal a strength in the African character full of promise for the future of the country. The same steadfastness was shown by those chiefs and their 3,000 followers who, resisting every temptation to go over to the rebels, shared the perils and sufferings of the siege with the Hausa garrison. When the fierce stress of hunger had driven some to madness and had slain others, it was some of the women and children, not the men, who, "preferring slavery with food to liberty with starvation," deserted to the enemy. The exhaustion of their supplies determined the Governor, Sir Frederic Hodgson, to endeavor to break through the Ashanti lines with the greater part of his force and all the non-combatants. How desperate he regarded the attempt is shown by his last words to the two British officers who with 150 men were left in the fort: "Well, you have a supply of food for twenty-three days and are safe for that period, but we are going to die to-day." The seven days' march, after the first stockade was carried, with its almost continuous fighting to the frontier of Ashanti, was an experience more awful, says Lady Hodgson, than that of the siege. A great part of the way was by a path so narrow as to compel the fugitives to go in single file, momentarily expectant of the report of the guns which alone revealed the presence of the enemy in the dense forest that hemmed them in.

There was an added danger in some districts through which they passed in that "the way was pitted with gold holes—great yawning caverns, to fall down which would be almost certain death. They zigzagged on either side of the narrow path." From these pits gold in great abundance is taken, "nuggets worth £100 not being rare," and even a bucketful of the road-scrapings of the main street of Axim was shown to contain a shilling's worth of gold in half-an-hour's sifting and washing in Lady Hodgson's presence.

"Every Ashanti king and chief is the possessor of gold ornaments, and the regalia attached to each tribal stool is very valuable; even the handles of the swords of office are covered with beaten gold, affixed with gold rivets. The heads of the state umbrellas are generally covered with beaten gold; and one which I saw, in the shape of a large bird with its head turned round and pecking its tail, must have been covered with at least £15 worth of beaten gold. One of the ornaments of the loyal King of Aguna was a solid gold bracelet, which he valued at £50."

Little has been done by Europeans to develop this extraordinary wealth—"almost everywhere gold exists"; but with peace assured and the building of the projected railways, numerous mining enterprises are certain in the near future. Some lively descriptions of the natives of the coast towns, especially of the servants, lighten the inevitable gloom characterizing the greater part of this interesting book. It is attractively made, with numerous illustrations of native life and the scenery of West Africa.

An Essay on Western Civilization in its Economic Aspects (Mediæval and Modern Times). By W. Cunningham, D.D., Fellow and Lecturer of Trinity College and Vicar of Great St. Mary's, Cambridge. Cambridge (Eng.): University Press; New York: Macmillan. 1900. Pp. xii, 300.

When Dr. Cunningham visited this country a couple of years ago, to take part for a few months in the teaching work of Harvard University and of the University of Wisconsin, he presented to the astonished gaze of his new American friends a type of activity quite unknown, one might venture to say, on this side of the water. It was that of the academic parson, such as is now not infrequently produced by the modern conditions of Cambridge and Oxford life. Oxford and Cambridge were both of them, fifty years ago, a good deal too clerical, there can be no doubt; and a vast amount of excellent ability was wasted or misdirected by clericalist prepossessions. But now that fellowships have been thrown open, and all the characteristically modern studies, from biology to engineering, have obtained a secure lodgment and are represented by dozens of teachers who are anything but clerically minded, the unwholesome temptations of the era before reform have been almost entirely removed. If a young don feels sufficiently interested in the work of the Christian ministry on the one side, and in some non-theological study on the other, to desire to divide his life between them, there is nothing to hinder him. He may find that success in his non-clerical work helps him in his ecclesiastical career, and, as the English Church is at present constituted, it is well that it should; he will not find that his clerical character helps him appreciably to a teaching position. The measure of success he obtains in his dual life will depend on his own qualities of head and heart.

Dr. Cunningham, at any rate, has been able to combine the duties of the Vicar of Great St. Mary's—a church which, though its own parochial area is small, occupies a position of unique importance in the academic life of Cambridge—with the assiduous studies which have produced the two portly and learned volumes on 'English Industry and Commerce,' and the zealous and sympathetic teaching which has done so much for historical studies at his university, and stimulated more than one of his pupils to remarkably excellent pieces of original investigation. This is a result of which one might justly be proud; it witnesses to an extraordinary mental alertness which most of us must admire and envy.

And in this case the combination of characters has had one consequence on which the present volume calls upon us to comment. Most teachers of economics keep their political economy and their religion in separate mental compartments; nor would the mere performance of clerical functions, of itself, bring the two into contact: it is only too possible to put the Christian creed on with the surplice and take off both together. But with Dr. Cunningham the case has been otherwise. One cannot fail to see that here the union of clerical and scientific functions has had an influence on the discharge of both. At the back of all the details of industrial and commercial effort one cannot help feeling that there is, in his mind, the ever-present question of ultimate meaning and purpose. What does all this pursuit of material gain mean for human character? What relation has wealth to what saints and philosophers have told us of the ends of human existence? This note of the theologian is seldom forced: where ecclesiastical prejudices may perhaps seem to have led him to some exaggeration, as, *e. g.*, in the influence he assigns to the mediæval Church, the soundest historical judgment is on his side. He has a marvellous acquaintance with the actual facts of economic life in all ages; though the Middle Ages are those he knows best, he has a wide knowledge of present business conditions and a considerable acquaintance with recent economic literature. For fifty pages at a time his books may be read without any thought save of the actual sequence of events; but all at once the attentive reader will find himself brought up against one of those far-reaching generalizations which show that the moralist has been all the time watching the procession and pondering what it all meant. To discuss these generalizations in this place would demand more space than we have at our disposal; and, indeed, they would confront us with those ultimate problems which cannot be answered off-hand, if they can be answered at all. For what Lord Acton has said of history in general is true of economic history: what a man really thinks of history is his real religion. But it is surely desirable that students should sometimes stop to think about these larger issues; and if university studies are not liberal enough to find room for such books as Dr. Cunningham's by the side of treatises on Marginal Utility and the Statistical Abstract, it is the worse for the university.

The present 'Essay' is a survey of mediæval and modern progress in its economic aspects, forming a sequel to an earlier volume on "Ancient Times"; it reproduces the substance of its author's lectures in America, and it is fittingly dedicated to President Eliot. Like all Dr. Cunningham's writings, it is full of information and fuller still of suggestion. Of course there are many points on which it is open to criticism. It is permissible to doubt whether "the phase of Nationalist economic policy was chiefly concerned with the development of land" (p. 16); whether "household" (p. 54) is the best word for the English manorial system or the functions of the modern English squire, and whether too independent a life is not assigned to a mere "organ"; whether "the worship of the Roman Emperor was the worship of arbitrary human will" (p. 72); whether there were no "oligarchies" in English towns till the fourteenth century (p. 94); whether the economic influence of the Humanists (p. 145) is not underrated; or whether full justice is rendered to Colbert (p. 213). And we should like to hear what Dr. Cunningham would say to the ordinary Protectionist argument that England was enabled to adopt Free Trade by its previous and long-continued development under a Protectionist régime. But most of these are matters for class discussion; and this suggests a final remark. The book, it is to be feared,

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is not one for ordinary undergraduates—even juniors and seniors. It must be confessed, regretfully, that they have seldom that liberal knowledge of the world's history and literature which they will need for its full understanding. But we can hardly imagine any course of intellectual discipline, for such students as are prepared to tackle it, more stimulating and educational than the steady working through, in a small class or seminary, of a book like this; looking up its references, repairing its omissions, questioning its judgments, and sometimes, perhaps, giving a little thought even to its largest generalizations.

Verbeck of Japan. By William Elliot Griffis. Fleming H. Revell Co. Pp. 376.

By the addition of this volume to his biographies of Commodore Perry and Townsend Harris, Dr. Griffis completes his record of the foundation of modern Japan. The pioneer of higher education deserves no less honor than the sailor or the diplomatist, especially when, as in this case, he helps to mould the character of the statesmen who guide a young nation through a period of dangerous transition. It would scarcely be a misuse of language to say that Verbeck was an exemplary patriot, although, as the sub-title reminds us, he was "a citizen of no country." Born in the Netherlands in 1830, he forfeited his Dutch nationality by his emigration to America in 1852. When appointed by the Dutch Reformed Church as a missionary to Japan, he had not lived long enough in the United States to be naturalized here. To the country of his adoption, however, he rendered such services as eclipse, in their real value, those of many who have gained a greater share of public attention. His first ten years in Japan were spent in quiet preparatory work in Nagasaki. The laws of the country did not as yet permit open evangelism. The revolution called him to Tokio, whither some of his pupils had preceded him with a good account of his teaching. Here he was occupied for his second decade in tasks of great responsibility and delicacy. He stood, in fact, to the new Government in the position that was afterwards filled by a large corps of expert advisers. His principal duty was the establishment and direction of a school for the Western languages and sciences, which developed in a few years into the Imperial University. But he was engaged in many subsidiary labors. It was Verbeck, for instance, who translated into Japanese the leading text-books of the law of civilized nations, thus planting a seed from which grew the Constitution granted by the Mikado in 1889. It was he, too, who suggested and organized the famous embassy to America and Europe in 1872, the inner history of which is related at length in this volume. It seems, indeed, that during his tenure of office scarcely an important step was taken in relation to the outside world without his advice being sought. As soon as the restrictions on direct missionary work were removed, he gladly seized the opportunity to devote his main energies to the foundation of Christian churches, for the evangelistic impulse was always stronger in him than any other. His connection with the Government service came to an end in 1877, when the Emperor decorated him with the Order of the Rising Sun. From this date until his death in 1898 he spent most of his time in preaching tours and in Bible translation. His diligence, his generosity, his learning, his power of initiative, and other high qualities are evident from this biography, in which Dr. Griffis has paid an enduring tribute to the memory of his friend.

We have noted an occasional carelessness of style—as in the sentence, "Since 1862, this lordly mansion has been possessed by the late Mr. C. B. Labouchere"—and the narrative suffers, perhaps, at times from an excess of exposition; but, on the whole, the author is to be heartily commended for his latest contribution to the cause with which his own name is so closely associated.

A History of Rome. By George Willis Botsford, Instructor in the History of Greece and Rome in Harvard University. The Macmillan Co.

Dr. Botsford has written for use in high schools and academies a History of Rome which the mature reader, his school-days long in the past, may well follow with intense interest. The style is clear and attractive, the illustrations are numerous and intelligently selected. In 350 pages the author covers the ground from the mythical period to the age of Charlemagne. A wide knowledge of the original authorities is everywhere apparent, both in marginal references and in quotations. Perhaps the "everywhere" needs qualification for the last hundred pages, where such names as Hodgkin, Bury, Oman, Gibbon, Freeman, and Emerton are much more frequent in the margin than names of contemporary writers.

The high merit of the book as regards accurate scholarship and attractiveness to the reader may be at once admitted, as was to be expected from the author's 'History of Greece.' There are many points, however, at which his mental attitude towards his subject is open to question. Present-day scholarship is practically unanimous in allowing that Tiberius was not the monster he was once supposed to have been; that there is no valid basis upon which to hold Nero guilty of the burning of Rome; and that many other sins have been erroneously placed to the charge of Roman Emperors. It may be admitted, also, that the sins of the Roman Republic in its latter days were many and great. There is hardly sufficient warrant, however, for giving the early Emperors as clean a bill of moral and political health as Dr. Botsford makes out; nor can the later Republic be given up as utterly bankrupt in political sanity and common honesty. It is true enough that the Republic scored a bad failure in provincial administration, and that the Empire brought to the provinces a very substantial improvement. We cannot but feel, however, that a due recognition of actually recorded exceptions on either side would leave the contrast rather less vivid than it is painted in the book before us. It cannot rightly be said that Tacitus "utterly ignored the blessings the imperial government had brought the provinces." If he does not anywhere make a direct comparison favorable to the Empire, it may at least be said that the instances of wise and humane treatment which he records, with expressed or implied approval, are sufficient to refute such a charge. One might retort, too, that Dr. Botsford comes perilously near complete neglect to admit any degree whatever of dishonesty or oppression in the provinces under the Empire. Nor is this the only point in which Tacitus receives less than his due credit. The statement that "Rome was everything to him; and, within this little world, the aristocrats alone were worthy of his sympathy," will not bear the test of a careful study of his own works. He and the circle to which he belonged "were out of joint with the times, and blocked the way of progress," in Dr. Botsford's view. One more instance, here, of the truth that some men are so slow to learn, that if you do not happen to agree with a career of imperialism, the proper thing to do is to keep still and not block the way of progress.

Of course, Julius Cæsar comes in for high praises—only less exalted than those of Marion Crawford in his 'Ave Roma Immortalis,' in whose view Brutus "blackened the name of friendship with a stain that will outlast time, and by a deed second only in infamy to that of Judas Iscariot," while historians are criticised for magnifying into a crime the death of Cicero, "sacrificed to Antony's not unreasonable vengeance." Dr. Botsford allows Cicero to have been a patriot, and indulges in none of Mommsen's virulent depreciation of his powers, but evidently finds nothing in him to arouse enthusiasm. In one instance, we must take exception to the depreciation of an *imperial* character. The Empress Theodora is incidentally referred to as "once a dancing-girl of low character." The document upon which this condemnation depends is the *Anecdota* usually attributed to Procopius. It is too full of contradictions, internal and otherwise, to be taken as valid evidence against a woman not otherwise charged with the abuses which it recounts, even if the ascription to Procopius were unquestionable, which is far from being the case.

Upon the whole, while recognizing the many good and attractive features of Dr. Botsford's book, we cannot avoid the impression that it is injured throughout by an unduly high opinion of the Empire, and an equally undue depreciation of the Republican period, and of the men of the Empire who looked back with regret, not to the disorders of that period, but to its better elements.

The Works of Théophile Gautier. Translated and edited by Prof. F. C. de Sumichrast. New York: George D. Sproul. 1900.

Prior attempts at rendering into English the varied lusciousness of Gautier's style have invariably fallen short of successful achievement, not merely because the translators usually selected such parts of his work as are least publicly presentable to English readers, but also from the inadequate equipment of those who undertook the task. We may (possibly many of our staidest readers will) question the wisdom of an almost complete version of the too often unblushing "Théo"; but it may be rejoined that the capacity and academic position of Professor de Sumichrast carry all the weight of a judicial imprimatur. The publisher's share in the work is too important to be passed over lightly; in type, paper, and *format*, these volumes are simply delightful. Who may read all of them, we leave it to the mental pathologist to decide. Of the whole issue, to be completed in twenty-four octavo

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volumes, six are in our hands, containing 'Mademoiselle de Maupin,' 'Les Grotesques,' 'Voyage en Espagne,' 'Le Roman de la Momie,' and a selection from 'Portraits Contemporains.' A general introductory essay discusses Gautier's principal titles to literary eminence, and each volume contains a prefatory critical notice.

These brief studies amply suffice for the general reader who is not looking for final and deep pronouncements on the quality of Gautier's art. But some difficulty may well be found in agreeing with the contention of the general prefatory essay which argues, along familiar lines, that Gautier's work is not *im*-moral, but *un*-moral. The distinction here drawn is purely scholastic; it belongs to the logomachies of the classroom of formal logic. What plain common-sense replies to the preface of 'Mademoiselle de Maupin' is that, with all its cleverness, this prolonged *boutade* is an impudently paradoxical attack on the fundamental things that render social life at all possible; its triumph would consequently involve the disappearance of those very ideas of beauty and art to which Gautier wished to consecrate his existence. Whether or not a youthful freak was too severely punished with hopeless exclusion from the respectable French Academy, still remains a matter of opinion. The introduction to 'Le Roman de la Momie' might gain from the addition of an ample paragraph pointing out how far, in this perfect reconciliation of the rival demands of erudition and fiction, its author's artistic sense surpasses that of the neighboring heavy historical school. Wise selection appears in the volume that represents 'Portraits Contemporains.' Some disappointment we must own to, on discovering, here and there, marks of the pruning-knife where there was no diseased limb. In 'Mademoiselle de Maupin,' of course, certain excisions are imperative; the wonder is that in this translation they are so few. It is chiefly to the 'Travels in Spain' that our remark applies. Allowance being made for possible differences of text, it may be noted that the account of Gautier's ascent of the Mulhacen in the Sierra Nevada—a very interesting episode—does not appear in the English version; dashes of local color such as the following are expunged: "Les malheureux chiens, qui n'ont ni souliers ni *alpargatas*, les traversent au galop et en poussant des hurlements plaintifs," which appears to be Gautier's humorous way of demonstrating how hot the pavements of Toledo streets can become under the summer sun. In the matter of illustration, the Spanish dancer (iv., 313) is indisputably too *fin de siècle* for the contents of the volume; accordion-plaited skirts, we are quite positive, were not worn by the ballet-dancers of Gautier's day.

Considering the unusual difficulties offered in vocabulary and style by the original, one cannot but congratulate the translator on the extremely idiomatic precision of his labors, without in any case shirking or forcing the meaning of the text. A good example of this may be seen in the comparison of the "transposed proverbs" of Balzac with the equivalents or substitutes offered here, literal translations being out of the question (vi., 88). There nevertheless remains room for suggestion of occasional improvement in small details. Gautier, for all his splendor of diction, never showed any hostility to colloquialism if required by the situation; and in a few of these cases the corresponding English word or phrase may well render in its pungency the original meaning. When Gautier speaks of deputies who *gâchent* laws, the word "bungle" fits the case more closely than the vague "spoil"; "rien n'est *trompeur* comme les réputations qu'on fait aux individus et aux peuples" is better conveyed through "misleading" than "deceitful"; *torréfié* is interchangeable with "torrified," still more so with "scorched"; and, as a final example, it may safely be insisted that though Molière's characters frequently seek to make game of the rights of primogeniture and testation, there is nowhere in his plays any sign of "arguments against heredity." Readers of these volumes will, however, search many pages before adding to the few above illustrations—given in no carping spirit, but with the sole view of bringing into stronger relief the excellence of execution that marks the whole work.

Fly-Rods and Fly-Tackle: Suggestions as to Manufacture and Use. By Henry P. Wells. Illustrated, revised, and enlarged edition. Harper & Brothers. 1901.

Mr. Wells has, as his first illustration, a portrait of himself, and in his introduction says: "It is to the beginner that I address myself, remembering, during my own novitiate, with what longings I sought, and how gratefully I would have received, the information contained in this book." The preface tells the reader, however, that Mr. Wells has not been able to pursue to a satisfactory ending his investigations as to "how lines, leaders, and flies appear to trout under the varying conditions of light and water which confront the angler when rod in hand." To accomplish this, Mr. Wells's plan was to procure a diver's outfit and impersonate a trout under various conditions of his sub-aqueous life, while a friend angled for him, and a stenographer on shore, by means of telephonic communication with the author, recorded his impressions. Had this project been carried out, and the results printed in the book, it would have added much to the interest of the discussion. Perhaps Mr. Wells may not have known that this experiment has been tried in a salmon river, without the diver's outfit and the stenographer, and its outcome was not thought to add anything of importance to the sum of knowledge of angling.

The first chapter, on fish-hooks, is really a scientific treatise on the subject, not only showing the forms of the many different kinds of hooks, but demonstrating their penetration, holding power, and strength. Mr. Wells decides finally in favor of the turn-down eyed hook of the Pennell pattern, though he thinks well of the Sproat and the O'Shaughnessy. The description of "How fish-hooks are made" is worth reading, though we doubt if it sets any angler to work making his own, nor is it probable that the long and minute treatise on rod-making will excite more than a passing interest in most of the readers of the book. The chapter on "leaders" contains a lot of curious information. Probably very few anglers, or laymen either, know how the gut used for casting-lines is made, and many would hesitate to say positively what part if any of the silkworm is used as the raw material. Mr. Wells tells us that when the worms cease feeding and a filament of silk hangs from the mouth, they are about to spin their cocoons. It is at this moment that the worms destined for the angler's use are dropped in a bath of vinegar, where they remain several hours, are then removed, and torn apart to get the two silk sacs. The contents of each of these, which is a viscid fluid, is stretched out by the operator to the desired length. These harden very quickly on exposure to air, and the gut is stretched on pieces of boards to dry. When dried, it is cleaned and packed for the market. Most of this gut is made in Spain; but Mr. Wells thinks there are silkworms native to this country superior for the production of gut to the Chinese article. From the cecropia, which is very common, gut has been produced "eight or nine feet long, and strong enough to hold a salmon, quite round, and all an angler could desire." It would be a great boon to salmon-fishers if some one would successfully operate a factory for the product of this insect.

"Flies and Fly-Fishing" and "Miscellaneous Suggestions" conclude the book, and offer a good many useful suggestions.

Three Plays for Puritans. By Bernard Shaw. Chicago: Herbert S. Stone & Co.

Mr. Bernard Shaw is to be read for amusement, not for instruction or profit. It is a thousand pities that a man of so much genuine literary ability, so well informed in many directions, so witty, and so conversant with the ways of the world, should be so utterly destitute of mental balance, so easily enticed into all sorts of intellectual bogs and morasses by the will o' the wisp of his own too fertile imagination. Of these three plays—it need scarcely be said that there is nothing especially puritanical about them—one, "The Devil's Disciple," is well known in this city, and has been amply discussed. For theatrical, not to speak of dramatic, purposes, it is superior to either of the other two, "Cæsar and Cleopatra" or "Captain Brassbound's Conversion," but both of these will furnish delightful entertainment for an idle hour to any one who will read them for their surface brilliancy, without trying to analyze them or discover their author's meaning. Especially must he beware, if he values his peace of mind, of attempting to reconcile them with any of the principles which Mr. Shaw lays down in his introductory essays. Prefaces and plays alike are written with delightful and sparkling fluency. There are no dull passages, and no lack of common sense, shrewd comment, sharp satire, or admirable precept; but these ingredients are scattered, like plums in a pudding, in a mass of audacious paradox, reckless generalizations from false premises or half-truths, and all sorts of humorous distortion and flagrant impossibilities. Of glittering fancy and mordant wit there is an abundance, but no more cohesion or stability than in the lightning changes of a kaleidoscope.

In "Cæsar and Cleopatra" the personages belong to modern satirical burlesque, of capital quality, while the atmosphere and coloring often convey a curiously veracious impression of Oriental antiquity. The contrast is comical, although that, of course, is not the way in which Mr. Shaw would wish to have it regarded, and if—which is exceedingly unlikely—a company of actors could be found to play it properly, with

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apparent unconsciousness of the humorous side of it, the piece might make a hit upon the stage; but a merely conventional performance would probably be a dead failure. The inherent absurdities of the story of "Captain Brassbound's Conversion," which may be described, perhaps, as comic melodrama, would almost certainly be fatal to any attempt at theatrical representation.

BOOKS OF THE WEEK.

Abbott, E. A. The Corrections of Mark. London: Adam & Charles Black; New York: Macmillan. $5.50.
Belden, Jessie Van Zile. Antonia. Boston: L. C. Page & Co.
Casson, H. N. The Crime of Credulity. Peter Eckler. 25 cents.
Churchill, Winston. The Crisis. Macmillan. $1.50.
Colville, H. E. The Work of the Ninth Division. London: Edward Arnold. 10s. 6d.
Dickerson, M. C. Moths and Butterflies. Ginn & Co. $2.50.
Flynt, Josiah. The World of Graft. McClure, Phillips & Co.
Francke, Kuno. A History of German Literature as Determined by Social Forces. H. Holt & Co.
Hume, M. A. S. Treason and Plot. D. Appleton & Co. $4.50.
Jacoby, G. W. A System of Physiologic Therapeutics. Vols. 1 and 2. Philadelphia: P. Blakiston's Son & Co. Eleven vols. $22.
Lysaght, S. R. Poems of the Unknown Way. Macmillan. $1.75.
Mankowski. Mary de. Pharaoh. Abbey Press. $1.25.
McClure, A. K. To the Pacific and Mexico. Philadelphia: J. B. Lippincott Co. $1.
Painter, F. V. N. The Reformation Dawn. Philadelphia: Lutheran Publication Society. 40 cents.
Redway, J. W. The New Basis of Geography. Macmillan. $1.
Shipman, L. E. The Curious Courtship of Kate Poins. D. Appleton & Co.
Singleton, Esther. The Furniture of Our Forefathers, Part II. Doubleday, Page & Co.
Thorpe, F. N. A History of the American People. Chicago: A. C. McClurg & Co. $1.50.
Townsend, J. D. New York in Bondage. Issued for subscribers.
Voynich, E. L. Jack Raymond. Philadelphia: J. B. Lippincott Co.
Walsh, G. E. The Mysterious Burglar. F. M. Buckles & Co. $1.25.
Whipple, L. E. The Philosophy of Mental Healing. The Metaphysical Publishing Co. $1.25.

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